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Maryland. Constitutional Convention, 1967- 1968.

Committee on the Legislative Branch.

Reports.

LB - 1 -- LB - 3

C O N S T I T U T I O N A L C O N V E N T I O N O F M A R Y L A N D

SUPPLEMENTAL MEMORANDUM

DATE: JANUARY 4, 1968

TO: ALL DELEGATES

FROM: FRANCIS X. GALLAGHER, CHAIRMAN OF THE COMMITTEE
 ON THE LEGISLATIVE BRANCH

SUBJECT: USE OF 1960 CENSUS FIGURES AND COMPARATIVE RATE
 OF GROWTH OF COUNTIES COMPARED TO STATE AVERAGE
 GROWTH OVER TEN YEAR PERIOD.

COMPARISON ON A COUNTY BASIS OF GROWTH RATE BETWEEN
1960 and 1970

<u>County</u>	<u>1960 Census</u>	<u>1970 Projected</u>	<u>Percentage Growth 1960-1970</u>	<u>County Deviation from State Average</u>
Allegany	84.2	84.6	4	-24
Anne Arundel	206.6	316.8	53	+25
Baltimore	492.4	645.2	31	+ 3
Calvert	15.8	21.9	38	+10
Caroline	19.4	20.6	6	-22
Carroll	52.8	66.5	25	- 3
Cecil	48.4	59.7	23	- 5
Charles	32.6	42.6	30	+ 2
Dorchester	29.7	30.6	3	-25
Frederick	71.9	86.5	20	- 8
Garrett	20.4	20.6	1	-27
Harford	76.7	110.5	44	+16
Howard	36.2	65.3	80	+52
Kent	15.5	17.9	15	-13
Montgomery	341.1	508.1	48	+20
Pr. Georges	357.4	621.1	73	+45
Queen Anne's	16.6	18.3	10	-18
Somerset	19.6	19.0	-3	-31
St. Mary's	39.0	50.7	30	+ 2
Talbot	21.6	23.4	8	-20
Washington	91.2	102.0	11	-17
Wicomico	49.1	56.0	14	-14
Worcester	23.7	25.3	6	-22
Balto. City	<u>939.0</u>	<u>946.2</u>	<u>7</u>	<u>-21</u>
State	3,100.7	3,959.6	28	+ - 0

Greatest Plus Deviation From Average +52
Greatest Minus Deviation From Average -31

Total Deviation From Average 83

Date		Description		Amount	
1890	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1891	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	

Received of _____
 the sum of _____
 for _____

Analysis:

This Chart indicates what would happen if the General Assembly were apportioned on the basis of 40 Senators and 120 Delegates for the 1970 General Election, such apportionment being based on the 1960 census rather than a Planning Department population count for 1970. The right-hand column of figures indicates the extent to which counties would be under-represented or over-represented on the basis of the 1970 population if the apportionment were based on the 1960 census. Thus, Howard County, because it grew +52 percent between 1960 and 1970, would be under-represented by 52 percent. On the other hand, Somerset County declined in population and was -31 percent behind the growth of the State as a whole between 1960 and 1970. Therefore, it would be over-represented in 1970 by 31 percent.

In Committee Memorandum No. LB-2, the Committee on the Legislative Branch maintained that by "substantially equal" it meant that the difference between the largest and smallest delegate districts should be no greater than 15 percent of the average population of all districts. If an apportionment for 1970 is based on the 1960 census, however, the difference between the largest and smallest districts would be 83 percent of the average district size. As a result, such a redistricting clearly would be under the threat of a redistricting suit in the United States District Court.

INTRA-CONVENTION MEMORANDUM

DATE: 21 November 1967

TO: H. Vernon Eney, President

FROM: Mr. Ira J. Wagonheim, Chief Clerk

SUBJECT: Delegate Proposals covered by committee recommendation
returned to Clerk's Office.

The Committee on LEGISLATIVE BRANCH has returned the
following proposals with the report that they are covered by
Committee Recommendation L.B. 1:

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for second reading
see

S&D - 16

Ira J. Wagonheim
Ira J. Wagonheim
Chief Clerk

(39)
92

COMMITTEE ON CALENDAR AND AGENDA

Debate Schedule No. 1

For Debate of Committee Recommendation No. LB-1

There will be no general debate, and after presentation of the Committee report, the Committee Recommendations will be open to debate and amendment section-by-section, no speech exceeding five (5) minutes (except as otherwise provided) as follows:

Sec. 3.01 Legislative Power Minority Report No. LB-1(a) by Del. Hanson (to provide for a unicameral legislature)

Controlled:

Del. Hanson - 45 minutes

Del. Gallagher - 45 minutes

Uncontrolled:

45 minutes (speech limit 3 minutes)

Sec. 3.04 Composition of the Legislature Minority Report No. LB-1(B) by Del. J. Clark (to limit the houses of the legislature to 40 and 80 members)

Controlled:

Del. Clark - 10 minutes

Del. Gallagher - 10 minutes

Uncontrolled:

20 minutes (speech limit 3 minutes)

Minority Report No. LB-1(D) by Del. Gleason (to provide that the size of the legislature be established by law)

Controlled:

Del. Gleason - 10 minutes

Del. Gallagher - 10 minutes

Uncontrolled:

20 minutes (speech limit 3 minutes)

Minority Report No. LB-1(C) by Del. Gilchrist (relating to limit of 180 members, ratio to be established, and legislative districts)

Controlled:

Del. Gilchrist - 10 minutes

Del. Gallagher - 10 minutes

Uncontrolled:

20 minutes (speech limit 3 minutes)

Sec. 3.05 Qualifications of Legislators Minority Report No. LB-1(L) by Del. Hopkins (residence requirement)

Controlled:

Del. Hopkins - 15 minutes

Del. Gallagher - 15 minutes

Uncontrolled:

25 minutes (speech limit 3 minutes)

Sec. 3.06 Election of Legislators

Controlled: BARD

Del. Gallagher - 20 minutes

Uncontrolled:

30 minutes (speech limit 3 minutes)

Sec. 3.08 Compensation of Legislators

W. H. H. West

John Schindler J.B.

General Provision

Bull Bullitt

Hall Claggett

Dorothy Munn

George Burgess

Mack -

for second reading
S.D. 10

Constitutional Convention

COMMITTEE RECOMMENDATION NO. LB-1

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,
Francis X. Gallagher, Chairman

November 1, 1967.

Presented, read, and referred to the Committee of the Whole.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Recommendation covers Delegate Proposals Nos. 3, 12, 33, 48, 54, 63, 64, 67, 73, 74, 82, 83, 110, 125, 138, 139, 148, 162, 215, 224, 235, 239, 264, 278, 281, 294, 304, 326, 340, 350, 365, 378, 388.

TITLE

1 A RECOMMENDATION that portions of Article III
2 of the new Constitution dealing with the Legis-
3 lative Branch provide for a bicameral legisla-
4 ture, single member districts in both the Senate
5 and the House of Delegates, a limit on the
6 Senate of 35 members and a limit on the House
7 of 105 members, a legislative session lasting
8 90 days, a legislative term of four years, and
9 other legislative matters, to read as follows:

10

11 Section 3.01. Legislative Power.

12

13 The legislative power of the State is
14 vested in the General Assembly, which shall
15 consist of two houses, the Senate and the
16 House of delegates.

17

18 Section 3.04. Composition of the
19 Legislature

20

21 The number of members of each house of
22 the Legislature shall be as prescribed by
23 law, but the number of delegates shall not
24 exceed one hundred five and the number of

1 senators shall be one-third the number of
2 delegates. Each delegate shall represent
3 one delegate district and each senator shall
4 represent one senate district. Each senate
5 district shall be composed of three whole
6 delegate districts.

7
8 Section 3.05 Qualifications of
9 Legislators

10
11 To be eligible as a senator or delegate, a
12 person shall be a qualified voter of the State
13 of Maryland at the time of his election or
14 appointment, shall have been a resident of the
15 State for at least two years immediately pre-
16 ceding his election or appointment, and shall
17 have been a resident of his senate district
18 for at least six months immediately preceding
19 his election or appointment. If, however,
20 any redistricting plan for senate districts
21 has been adopted within one year before a
22 general election for the General Assembly, he
23 shall be eligible in that general election to
24 run either in the senate district in which he
25 resides or in any other senate district con-
26 taining fifty percent or more of the popula-
27 tion of the senate district in which he
28 resided prior to redistricting. To be eligible
29 as a senator, a person shall have attained the
30 age of twenty-five years, and, to be eligible
31 as a delegate, he shall have attained the age
32 of twenty-one years, at the time of his elec-
33 tion or appointment.

34
35 Section 3.06. Election of Legislators

36
37 A member of the General Assembly shall be
38 elected by the qualified voters of the legis-
39 lative district from which he seeks election,
40 to serve for a term of four years beginning
41 on the second Wednesday of December following
42 his election.

43
44
45 Section 3.12 Legislative Sessions

46
47 The General Assembly may provide by law for
48 an organization session prior to the convening
49 of the regular session. The General Assembly
50 shall convene in regular session on the third
Wednesday of January of each year, unless

1 otherwise prescribed by law, and may con-
2 tinue in session for a period not longer than
3 ninety days; provided that by the affirmative
4 vote of a majority of the members of each house
5 a session may be extended for a period not
6 longer than thirty days; and that by the affirm-
7 ative vote of three-fifths of the members of
8 each house a session may be extended a second
9 time for a period not longer than thirty days.
10 The governor may convene a special session of
11 the General Assembly at any time and must
12 convene a special session upon the written
13 request of three-fifths of all the members of
14 each house. The presiding officer of the
15 House of Delegates and the presiding officer
16 of the Senate, acting concurrently, may con-
17 vene a special session of the General Assembly
18 at any time.
19

20 Section 3.08. Compensation of Legislators
21

22 The members of the General Assembly shall
23 receive such salary and allowances as may be
24 prescribed by law. Increases in salary shall
25 not apply to the General Assembly which enacted
26 them. No senator or delegate shall be paid
27 daily living expenses during regular sessions
28 of the General Assembly.
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MARYLAND & RARE BOOK ROOM
UNIVERSITY OF MARYLAND
COLLEGE PARK, MARYLAND

13 Constitutional Convention

COMMITTEE MEMORANDUM NO. LB-1

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,
Francis X. Gallagher, Chairman

November 1 , 1967.

In support of Committee Recommendation No. LB-1

Section 3.01. Legislative Power

1
2 The legislative power of the State is vested in
3 the General Assembly, which shall consist of two
4 houses, the Senate and the House of Delegates.

5
6 Comment:

7
8 This section of the recommended Legislative
9 Article places all state legislative power in
10 the General Assembly and establishes that
11 branch as a bicameral body.

12
13 The Committee adopted bicameralism by a vote
14 of 15 to 5. The decision was made following
15 a detailed study of the present General Assembly
16 which revealed the following factors:

17
18 1. From a statistical point of view, bicam-
19 eralism really works in Maryland. In the 1965
20 session of the General Assembly, 123 bills
21 which passed the House of Delegates were
22 defeated by Senate committees while 6 House
23 bills were killed on the Senate floor. In
24 addition, 124 bills which passed the House
25 were amended in the Senate. Thus 37 percent
26 of the 668 bills which passed the House were
27 either altered or defeated in the State Senate.

28
29 In the same way, 25 percent of the 506 bills
30 which passed the Senate were defeated or amended
31 in the House of Delegates, almost all of the
32 action taking place at the committee level. It
33 thus is statistically obvious that the two houses
34 do check and balance each other, and that dual
35 committee consideration is the most important
36 element in that check and balance.

37
38 The Committee's legislative recommendations

1 strengthen this important aspect of bicameral-
2 ism by providing for two separate and distinct
3 houses with separate committee systems.

4
5 2. Bicameralism offers greater opportunity
6 for differing citizen interests to be represent-
7 ed in the legislature.

8
9 Individual interests are not confined to one
10 sphere, such as personal income, education, or
11 religion. Personal interests are multiple.
12 The significant point is that a member of the
13 House of Delegates will serve a relatively
14 compact district and as such can speak for the
15 specific interests of that district. A senator
16 will speak for a much larger and, therefore, a
17 much different district.

18
19 Thus a Senator will be able to speak for
20 interests common to his constituents but which
21 may be quite different from those found in a
22 smaller delegate district. The citizen with
23 legislators in two unequal and different houses
24 will have substantially better representation
25 than if he had one legislator speaking for him
26 in a single house.

27
28 The Committee's legislative recommendations
29 strengthen this important aspect of bicameral-
30 ism by providing for senate districts which
31 are always three times the size of delegate
32 districts.

33
34 3. A bicameral legislature with houses of
35 unequal size will insure that issues are viewed
36 from varying perspectives.

37
38 When a legislator belongs to the relatively
39 large House of Delegates, he may find himself
40 appointed to only one substantive committee.
41 As a result, he will be able to immerse
42 himself completely in that one subject.

43
44 Conversely, a man belonging to the smaller
45 Senate may well sit on several substantive
46 committees. His knowledge of each individual
47 area will be limited to major problems or
48 issues. In all probability, he will not
49 engage in detailed analysis but will confine
50 himself to larger questions.

1 The advantage of this duality of perspec-
2 tive in a legislative body is obvious. If
3 the delegate "fails to see the forest for the
4 trees," the senator's larger and more general
5 view will serve as a corrective.

6
7 The Committee's recommendations strengthen
8 this important aspect of bicameralism by
9 providing that the Senate shall always be one-
10 third the size of the House of Delegates.

11
12 4. Bicameralism permits legislators to play
13 differing roles and each house to operate under
14 different rules of procedure.

15
16 Traditionally under bicameralism debate is
17 strictly limited in the lower house. Members
18 of the House of Delegates thus do their most
19 important work in committee and participate in
20 a minimum of floor debate. For this reason,
21 legislation in a bicameral body tends to get
22 its most thorough consideration in House
23 committees.

24
25 In the upper house, however, debate on the
26 floor tends to be free and extended. Because
27 there are fewer Senators, these important
28 legislators can be permitted to speak out on
29 the floor of the Senate almost at will. The
30 quality of floor debate thus is often more
31 detailed in the Senate, and legislation tends
32 to receive its most thorough discussion on the
33 Senate floor.

34
35 This difference in roles and rules of pro-
36 cedure is an important advantage of bicameralism.
37 Only bicameralism could permit detailed committee
38 discussion in one house complemented by extended
39 floor debate in the second.

40
41 Here again it is the Committee's recommendation
42 that the Senate be one-third the size of the
43 House of Delegates that permits Maryland to take
44 advantage of this important aspect of bicameral-
45 ism. The two houses thus are free to follow
46 differing styles of organization and procedures
47 that will be of great benefit to the total legis-
48 lative process.

49
50

1 5. Bicameralism is more responsive to the
2 public will and offers more time for citizens
3 to learn what is happening at the legislature.
4

5 A legislator cannot represent his constituents
6 if he does not know their feelings. Even though
7 modern press coverage of legislative matters
8 may disperse legislative information rapidly
9 throughout the state, there still may be insuf-
10 ficient time for the public to make its feelings
11 known to the legislators. Second house consid-
12 eration gives the public a second chance to
13 study what occurred in the first house and then
14 express sentiments effectively when the partic-
15 ular bill reaches the second house.
16

17 The Committee's legislative recommendations
18 strengthen this vital aspect of bicameralism
19 by providing for a longer legislative session
20 (90 days as compared to the present limit of
21 70 days) in which both houses can give
22 lengthier and more detailed consideration
23 to all legislation.
24

25 *****
26

27 The Committee is aware that there are other
28 arguments for bicameralism, such as that it
29 is traditional in state government in the
30 United States and that it permits "graduation"
31 from the lower house to the upper house. The
32 Committee did not consider these arguments as
33 important, however, as the fact that the oppor-
34 tunity exists to create a strong bicameral
35 legislature in Maryland with important and
36 beneficial differences between the two houses
37 in terms of legislative consideration.
38

39 The Committee also found that most of the
40 deficiencies attributed to the present General
41 Assembly of Maryland were caused by other fac-
42 tors than bicameralism. Commonly expressed
43 shortcomings such as the rush of bills at the
44 end of each legislative session and the invis-
45 ibility of the average Maryland legislator were
46 found to be caused by factors other than
47 bicameralism.
48

49 The Committee is supported in its retention of
50 bicameralism by the Eagleton Institute of

1 Politics at the Rutgers University in Brunswick,
2 New Jersey. Following a two-year study of the
3 internal workings of the Maryland legislature,
4 the Eagleton Institute researchers recommended
5 that bicameralism be retained.

6
7 The Committee also noted that no other state
8 conducting a modern constitutional convention
9 has even come close to abandoning the bicameral
10 legislature. Rhode Island retained bicameralism
11 by a vote of 56 to 29. In Connecticut, the
12 convention voted to retain bicameralism by an
13 overwhelming margin of 71 to 4.

14
15 The Committee also felt that bicameralism had
16 not been given enough time to prove itself
17 following reapportionment. The people of Mary-
18 land appeared to be generally pleased with the
19 completely reapportioned legislature that came
20 to the State House in 1967, and the Committee
21 saw no reason to end bicameralism until the
22 full effects of the new reapportionment have
23 been observed over a period of time.

24
25 Members of the Committee supporting the
26 retention of bicameralism were:

27
28 Anderson Gilchrist
29 Bamberger Gleason
30 Bard Hopkins
31 Burdette Linton
32 Bushong Malkus
33 Clark Neilson
34 Della Peters
35 Scanlan

36
37 Section 3.01 also retains the use of the desig-
38 nations "Senate" and "House of Delegates." A
39 motion to change the title of "House of Delegates"
40 to "House of Representatives" failed in the Com-
41 mittee by a vote of 10 to 10. Those voting for
42 "House of Delegates" argued that the appellation
43 was steeped in history and that any change would
44 tend to confuse the voters about the structure
45 of state government.

46
47 Committee members voting to retain "House of
48 Delegates" were:

49 Bamberger Bushong Hanson
50 Bard Clark Hopkins
51 Burdette Gilchrist Scanlan
52 Sollins

1 Section 3.04. Composition of the Legislature

2
3 The number of members of each house of the
4 Legislature shall be as prescribed by law,
5 but the number of delegates shall not exceed
6 one hundred five and the number of senators
7 shall be one-third the number of delegates.
8 Each delegate shall represent one delegate
9 district and each senator shall represent
10 one senate district. Each senate district
11 shall be composed of three whole delegate
12 districts.
13

14 Comment:

15
16
17 Probably the most difficult problem faced by
18 the Committee on the Legislative Branch was to
19 equate Maryland's traditional "at least one
20 delegate per county" principle with the reali-
21 ties of "one man - one vote" reapportionment.
22 The Committee constantly searched for solutions
23 that would permit each county to have one dele-
24 gate but keep the membership of the House of
25 Delegates within reasonable bounds.
26

27 The unpleasant reality which the Committee
28 finally had to face was the fact that, for
29 each county to retain at least one delegate,
30 the House of Delegates would have to have 192
31 members following the reapportionment in 1970
32 and 227 members following the reapportionment
33 in 1980. The Committee thus reluctantly came
34 to the decision that a House of Delegates of
35 227 members in 1980 would simply be completely
36 unworkable and, therefore, the "at least one
37 delegate per county" principle would have to
38 be regretfully abandoned.
39

40 Having reached this decision, the Committee
41 then tackled the question of the visibility
42 of the Maryland General Assembly. The Committee
43 majority came to the conclusion that the two
44 biggest factors contributing to the invisibility
45 and anonymity of the average Maryland legislator
46 were the fact that the present House of Dele-
47 gates is too large and that too many Senators
48 and Delegates are elected from large and
49
50

1 amorphous multi-member districts.

2
3 Section 3.04 thus provides that the number
4 of members of each house shall be as prescribed
5 by law but that the House will be limited to
6 105 members and the Senate to 35 members. The
7 majority of the Committee believed that these
8 maximum limitations would create a House and
9 Senate large enough to do the work but small
10 enough to be readily visible and understand-
11 able to the average Maryland voter.

12
13 The chart at the back of this memorandum shows
14 the number of Senators and Delegates each county
15 will have in 1970 under the 35-105 maximum
16 limitations.

17
18 The Committee adopted these limitations by a
19 vote of 15 to 4. Members voting for adoption
20 were:

21
22 Bamberger Gilchrist Peters
23 Bard Gill Scanlan
24 Burdette Hanson Sollins
25 Bushong Hopkins
26 Clark Miller
27 Gallagher Neilson
28

29 Section 3.04 also provides for single member
30 districts in both the Senate and the House of
31 Delegates, with three delegate districts
32 exactly comprising one senate district. The
33 goal here was to simultaneously shorten the
34 legislative ballot and, by giving each voter
35 only one senator and one delegate, sharpen
36 lines of legislative responsibility. The
37 Committee majority wished to get away from
38 multi-member districts because they create a
39 long ballot, particularly in primary elections.
40

41 The Committee adopted single member districts
42 by an overwhelming vote of 15 to 5. Those voting
43 for single member districts were:

44
45 Bamberger Gilchrist Linton
46 Burdette Gill Miller
47 Bushong Gleason Neilson
48 Clark Hanson Scanlan
49 Gallagher Hopkins Sollins
50

1 The Committee has tentatively agreed that the
2 35-105 membership limitation and the single
3 member districts shall not be applied to the
4 present General Assembly. The Committee intends
5 for these changes to be applied to the first
6 legislature elected following the 1970 reappor-
7 tionment.
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Apportionment per County as per
Projected Population Figures

<u>County</u>	<u>Senate</u>	<u>House</u>
ALLEGANY	3/4	2-1/5
ANNE ARUNDEL	2-4/5	8-2/5
BALTIMORE	5-7/10	17
BALTIMORE CITY	8-2/5	25
CALVERT	1/5	3/5
CAROLINE	1/5	1/2
CARROLL	3/5	1-4/5
CECIL	1/2	1-2/3
CHARLES	2/5	1-1/10
DORCHESTER	3/10	4/5
FREDERICK	4/5	2-1/3
GARRETT	1/5	1/2
HARFORD	1	3
HOWARD	3/5	1-4/5
KENT	1/5	1/2
MONTGOMERY	4-1/2	13-1/2
PRINCE GEORGE'S	5-1/2	16-1/2
QUEEN ANNE'S	1/5	1/2
SOMERSET	1/5	1/2
ST. MARY'S	1/2	1-2/5
TALBOT	1/5	2/3
WASHINGTON	1	2-2/3
WICOMICO	1/2	1-1/2
WORCESTER	1/2	2/3

Each Senate District is based on 1 Senator for each 113,000 persons. Each Delegate District is based on 1 Delegate for each 37,700 persons.

1 Section 3.05. Qualifications of Legislators

2
3 To be eligible as a senator or delegate, a
4 person shall be a qualified voter of the State
5 of Maryland at the time of his election or
6 appointment, shall have been a resident of the
7 State for at least two years immediately pre-
8 ceding his election or appointment, and shall
9 have been a resident of his senate district
10 for at least six months immediately preceding
11 his election or appointment. If, however,
12 any redistricting plan for senate districts
13 has been adopted within one year before a
14 general election for the General Assembly, he
15 shall be eligible in that general election to
16 run either in the senate district in which he
17 resides or in any other senate district con-
18 taining fifty percent or more of the popula-
19 tion of the senate district in which he
20 resided prior to redistricting. To be eligible
21 as a senator, a person shall have attained the
22 age of twenty-five years, and, to be eligible
23 as a delegate, he shall have attained the age
24 of twenty-one years, at the time of his elec-
25 tion or appointment.
26

27 Comment:

28
29 This section of the recommended Legislative
30 Article sets forth the qualifications of persons
31 seeking election or appointment to the General
32 Assembly. The Committee adopted almost unani-
33 mously a two-year residence requirement in the
34 State of Maryland and a six-month residence
35 requirement in the senate district in which a
36 senator or delegate resides at the time of
37 election.
38

39 It should be noted that the Committee recom-
40 mendation does not call for a delegate to
41 establish a six-months residence requirement
42 in his delegate district, but requires only
43 that he reside six months in the larger senate
44 district of which his delegate district is a
45 part. The goal of the Committee here was to
46 reduce the ill effects that inevitably occur
47 with residence requirements when redistricting
48 occurs. This provision permits the delegate
49 district lines to be shifted within the senate
50 districts without changing the residence

1 qualifications of any of the delegates or
2 candidates for delegate.

3
4 In order to further reduce the unfortunate
5 effects of redistricting on residence require-
6 ments, Section 3.05 further provides that a
7 candidate redistricted into a new district
8 can run in a different new district provided
9 it contains more than fifty percent of the
10 population of his old district at the time
11 of redistricting. The Committee felt this
12 safety valve would take care of most redis-
13 tricting cases. If a person had his old
14 district so badly cut up that no new district
15 contained at least 50 percent of the population
16 of the old district, the Committee felt that
17 such a person should run only in his new
18 district.

19
20 Section 3.05 also retains the age limits in
21 the present Constitution of 21 years for the
22 House of Delegates and 25 years for the Senate.
23 The Committee felt that these ages had worked
24 satisfactorily for many years and there appeared
25 to be no strong sentiment on the part of the
26 people of Maryland to change them.

27
28 The Committee adopted the six-months district
29 residence requirement by a vote of 13 to 6.
30 Those voting for six months residence were:

31
32 Anderson Gilchrist Neilson
33 Bamberger Gill Scanlan
34 Bard Hanson Sollins
35 Clark Hopkins
36 Gallagher Malkus
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1 Section 3.06. Election of Legislators

2
3 A member of the General Assembly shall be
4 elected by the qualified voters of the legis-
5 lative district from which he seeks election,
6 to serve for a term of four years beginning
7 on the second Wednesday of December following
8 his election.

9
10 Comment:

11
12 Section 3.06 retains the four year legis-
13 lative term provided in the present Constitution.
14 The Committee discussed four year staggered
15 terms for the Senate and the House of Delegates,
16 but abandoned this concept due to the difficulty
17 of reconciling staggered terms with the require-
18 ments of decennial reapportionment and
19 redistricting.

20
21 The second Wednesday of December was chosen
22 for the start of the legislative term so there
23 would be no question about the constitutional
24 legality of the organization session of the
25 General Assembly provided further on in these
26 recommendations in Section 3.12.

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1 Section 3.12. Legislative Sessions

2
3 The General Assembly may provide by law for
4 an organization session prior to the convening
5 of the regular session. The General Assembly
6 shall convene in regular session on the third
7 Wednesday of January of each year, unless
8 otherwise prescribed by law, and may continue
9 in session for a period not longer than
10 ninety days; provided that by the affirmative
11 vote of a majority of the members of each house
12 a session may be extended for a period not
13 longer than thirty days, and that by the affirm-
14 ative vote of three-fifths of the members of
15 each house a session may be extended a second
16 time for a period not longer than thirty days.
17 The governor may convene a special session of
18 the General Assembly at any time and must
19 convene a special session upon the written
20 request of three-fifths of all the members of
21 each house. The presiding officer of the
22 House of Delegates and the presiding officer
23 of the Senate, acting concurrently, may con-
24 vene a special session of the General Assembly
25 at any time.

26
27 Comment:

28
29 From the very beginning of its deliberations,
30 the Committee wished to do everything possible
31 in the Legislative Article to end the rush of
32 bills at the close of the present 70 day legis-
33 lative session. The Committee was very dis-
34 turbed by the fact that, in both the 1966 and
35 1967 sessions of the General Assembly, 80 percent
36 of the bills were passed in the last 14 days of
37 the 70 day sessions.

38
39 The Committee considered at length the idea of
40 having the legislative sessions prescribed by
41 law, thereby permitting the legislators them-
42 selves to determine the duration of their session
43 and to lengthen it whenever necessary. A majority
44 of the Committee concluded, however, that some
45 Constitutional limitation was necessary. The
46 compromise position finally agreed upon in
47 Section 3.12 calls for a 90 day regular session,
48 followed by an optional 30 day session to be
49 adopted by a majority vote of both houses of
50 the legislature. For further flexibility, the

1 Committee provided for a second 30 day session
2 on the affirmative vote of 3/5 of the members
3 of both houses.

4
5 Section 3.12 thus would permit the legislature
6 to stay in regular session for a possible total
7 of 150 days (90 plus 30 plus 30). This is more
8 than double what is permitted with the present
9 70 day session limitation. The Committee
10 majority felt this would be more than adequate
11 for the next few years to end the objectionable
12 legislative log jam in the last weeks of the
13 regularly scheduled session.

14
15 The final Committee vote for the 90+30+30
16 session was 13 to 6. Those voting in favor
17 were:

18		
19	Anderson	Gilchrist
20	Bamberger	Gill
21	Bushong	Hanson
22	Clark	Hopkins
23	Della	Malkus
24	Gallagher	Peters
25		Scanlan
26		

27 Section 3.12 also retains the power of the
28 governor in the existing Constitution to call
29 a special session of the General Assembly. The
30 Committee decided to increase separation of
31 powers in Maryland by giving the legislature
32 the same power as the governor to call a special
33 session. Section 3.12, therefore, requires the
34 governor to call a special session if 3/5 of the
35 members of each house of the legislature request
36 it in writing. In accordance with a recommenda-
37 tion of the Eagleton Institute, Section 3.12 also
38 provides that the Speaker of the House of Dele-
39 gates and the President of the Senate, acting
40 together, can call a special session without
41 the concurrence of the governor.

42
43 Only the provision for the presiding officers
44 to convene the legislature elicited discussion
45 among the Committee. This language was adopted
46 by a vote of 11 to 7. Those voting in favor
47 were:

48	Bamberger	Hanson	Peters
49	Bard	Hopkins	Scanlan
50	Gallagher	Miller	Sollins
51	Gill	Neilson	

1 Section 3.12 also gives the legislature
2 permission to meet prior to the regular 90
3 day session in order to organize, elect
4 officers, assign committee members and chair-
5 men, and to provide for the pre-filing of
6 bills. The Committee decided to spell out
7 this power in the Constitution so that the
8 organization session could not be construed
9 as the start of the 90 day continuous session
10 required in the main body of Section 3.12.
11

12 The early organization provision was adopted
13 by the Committee by a vote of 14 to 3. Those
14 voting in favor of early organization were:
15

16	Bamberger	Gallagher	Miller
17	Bard	Gilchrist	Neilson
18	Burdette	Gill	Peters
19	Bushong	Hopkins	Scanlan
20	Clark	Malkus	

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1 Section 3.08. Compensation of legislators

2
3 The members of the General Assembly shall
4 receive such salary and allowances as may be
5 prescribed by law. Increases in salary shall
6 not apply to the General Assembly which enacted
7 them. No senator or delegate shall be paid
8 daily living expenses during regular sessions
9 of the General Assembly.

10

11 Comment:

12

13 Section 3.08 provides that the General
14 Assembly shall set its own salary.

15

16 The goal of the Committee was to put control
17 of legislative salaries firmly with the legis-
18 lators themselves. The Committee believed that
19 Maryland government and the national economy
20 are changing too rapidly for a set salary figure,
21 even a minimum, to be spelled out in the Consti-
22 tution.

23

24 In addition to the constitutional provisions
25 of Section 3.08, the Committee recommends that
26 the schedule of legislation to be adopted with
27 the Constitution (under Section 17 of the Enabling
28 Act) provide that the salary of each legislator
29 shall be \$8,000 per year. Under the provisions
30 of the Enabling Act, this figure will have the
31 force of statute law until further altered by
32 the General Assembly itself.

33

34 The Committee arrived at the \$8,000 minimum
35 salary after talking to many members of the
36 present General Assembly. Almost all suggested
37 a figure between \$6,000 and \$10,000.

38

39 The \$8,000 figure thus appeared to be at the
40 right level to start. This position was further
41 supported by the Eagleton Institute, which
42 recommended a figure of \$8,500.

43

44 The Committee also argued that the longer
45 session provided in these Committee recommendations
46 (90 days followed by two 30 day additional ses-
47 sions) would entitle the legislators to more
48 pay. The Committee decided, however, that the
49 \$8,000 salary should not be paid along with daily
50 living expenses. As a result, the Committee

1 recommends that the Constitution bar such daily
2 living expenses during the regular sessions of
3 the legislature.

4
5 The Committee adopted the \$8,000 salary
6 unanimously so that there was not even a call
7 for a record vote.

Maryland Room
University of Maryland Lib.
College Park, Md.

Constitutional Convention

COMMITTEE REPORT NO. LB-1

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH
FRANCIS X. GALLAGHER, CHAIRMAN

January 5, 1968

Presented, read, and referred to the Committee on Calendar and Agenda
of the Convention

By order, IRA J. WAGONHEIM, Chief Clerk.

TITLE

1 A REPORT on the rejection by the Committee
2 on the Legislative Branch of Delegate Pro-
3 posals No. 20, 192, 228, 323, 420, 425 and
4 437. The subject matter of these proposals
5 was not covered by any of the three major
6 Committee Recommendations of the Committee
7 on the Legislative Branch LB1, LB2 and LB3.

8
9 Proposal No. 20. Ombudsman of the State
10 of Maryland (Grumbacher,
11 Hanson, Koss, Schloeder,
12 Sollins)

13
14 The General Assembly shall elect the Ombuds-
15 man of the State of Maryland, who shall have
16 jurisdiction to receive complaints from any
17 citizen of the State concerning the unreason-
18 able or unfair administrative acts of any
19 agency or political sub-division.

20
21 Comment:

22
23 The Ombudsman is basically an administrative
24 court established to hold hearings when citizens
25 believe they have been unfairly treated by
26 government agencies. If the Ombudsman finds
27 the citizen's charges to be justified, it has
28 the legal power to order the government officials
29 involved to rectify the situation.

30
The Ombudsman thus is much more than merely

1 a complaint bureau. It also is more than the
2 mere handling of constituent services by an
3 elected official. A complaint bureau or an
4 elected official can investigate a citizen's
5 charges but does not have the legal power to
6 rectify them. The Ombudsman would have such
7 power to rectify.

8
9 The Ombudsman is thought to be necessary today
10 because of the large number of government
11 services and regulations that are administered
12 by impersonal government agencies to vast numbers
13 of people on a mass basis. The belief is that
14 the Ombudsman is a necessary check on the power
15 of bureaucrats over single individuals in today's
16 vastly enlarged government.

17
18 The Committee on the Legislative Branch received
19 favorably the concept of the Ombudsman. The
20 Committee concluded, however, that the question
21 of whether there should be an Ombudsman for the
22 State of Maryland should be settled by the state
23 legislature through general law and not in the
24 Constitution. The Committee also believed that,
25 at a time when many minor state offices are being
26 removed from the new Constitution, it would be
27 unwise to dignify the Ombudsman concept with
28 Constitutional status. The idea was also expressed
29 that the bureaucracy of the State of Maryland is
30 quite small compared to that of the United States
31 government and therefore the Ombudsman concept would
32 best be first initiated at the national rather than
33 the state level.

34
35 For the above reasons, the Committee on the Legis-
36 lative Branch rejected Delegate Proposal No. 20.

37
38 Proposal No. 192 (Finch)

39
40 The State of Maryland may issue registered trade-
41 marks service marks and collective marks in order
42 to promote and protect business enterprises.

43
44 Comment:

45
46 The Committee on the Legislative Branch found the
47 question of the State's right to issue registered
48 trademarks to not be of Constitutional importance.
49 As long as the Constitution is silent on this parti-
50 cular issue, the General Assembly clearly would have

1 the power to issue registered trademarks if it
2 thought this in the best interest of the citizens
3 of Maryland.

4
5 The Committee also concluded that the question of
6 registered trademarks is currently handled almost
7 exclusively at the national level and, in view of
8 the interstate nature of almost all business enter-
9 prise today, should continue to be handled at the
10 national rather than the state level. The Committee,
11 therefore, rejected Proposal No. 192.

12
13 Proposal No. 228 (Finch)

14
15 The General Assembly shall appoint a committee whose
16 sole duty shall be to examine federal encroachment
17 on the state's rights guaranteed by the United States
18 Constitution and reserved to the state.

19
20 Comment:

21
22 The Committee on the Legislative Branch shares with
23 many major American political theorists a concern over
24 the growing power of the national government and its
25 steady expansion into areas of jurisdiction previously
26 handled by the State of Maryland. The Committee con-
27 cluded, however, that questions of the relationship
28 of the jurisdiction of the United States government
29 to the jurisdiction of the State of Maryland would
30 basically be settled by the Supreme Court of the
31 United States, no matter what the Constitution of
32 Maryland might say or a legislative committee might
33 report. The Committee also did not wish to give
34 constitutional status to a particular substantive
35 committee of the General Assembly, and therefore
36 rejected Proposal No. 228.

37
38 Proposal No. 323 (Finch)

39
40 The General Assembly may enact legislation to renew
41 and rebuild communities, to design and develop new
42 communities and to encourage the expansion of economic
43 opportunity.

44
45 Comment:

46
47 Although the Committee on the Legislative Branch
48 agreed that the State of Maryland should create an
49 atmosphere conducive to the renewing of existing
50 communities and the planning of new communities, the

1 Committee felt these concepts were not of
2 Constitutional importance and should be dealt
3 with by the General Assembly through general
4 law. The Committee therefore rejected Proposal
5 No. 323.

6
7 Proposal No. 420 (Finch)

8
9 The General Assembly shall provide for the
10 training and retraining of persons displaced
11 by automation of goods and services. Such
12 provision should be undertaken for the welfare
13 and well-being of the citizenry of the State and
14 to minimize the decline of the society.

15
16 Proposal No. 425 (L. Taylor)

17
18 The General Assembly shall have the power to
19 enact laws providing protection to all residents
20 from loss of income or employment caused by
21 automation or other factors, by the means of an
22 annual minimum income based on standards of decency
23 and health for residents in need.

24
25 Comment:

26
27 The Committee on the Legislative Branch devoted
28 approximately one hour to the question of whether
29 the new Constitution should empower the General
30 Assembly to lessen the economic effects of automation
31 and other forms of technological advancement. The
32 Committee was in general sympathy with the problems
33 created by automation and the hardships suffered by
34 many of the state's citizens as a result. The
35 Committee concluded, however, that the issue was
36 so complex that it did not lend itself to solution
37 in the type of general phrases found in a state
38 constitution. For that reason, the Committee rejected
39 Proposal No. 420 and Proposal No. 425.

40
41 Proposal No. 437 (Finch)

42
43 The General Assembly shall establish a system for
44 punishing convicts whereby their labor will be used
45 for public benefit and/or reparation for injuries done
46 to private citizens.

47
48 Comment:

49
50 The Committee on the Legislative Branch concluded
that the question of work programs for convicts should

1 be dealt with by the legislature through general
2 law and should not be included in the new Consti-
3 tution. For that reason, the Committee rejected
4 Proposal No. 437.
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Constitutional Convention

MINORITY REPORT NO. LB-1(A)

BY DELEGATES HANSON, MILLER, FOLLINS, GILL

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB-1

TITLE

- 1 A MINORITY REPORT that Article III of the
2 new Constitution provide for a unicameral
3 legislature composed of 100 members elected
4 from single member districts, to read as
5 follows:
6
7 Section 3.01. Legislative Power
8
9 The legislative power of the State is vested
10 in the General Assembly, which shall consist
11 of one house.
12
13 Section 3.04. Composition of Legislature
14
15 The number of members of the General Assembly
16 shall be as prescribed by law but shall not
17 exceed one hundred. Each member shall repre-
18 sent one single member district.
19
20 Comment:
21
22 Maryland should have a one house legislature.
23 Committee Report LB-1 does not justify ade-
24 quately the retention of two houses.
25
26 A unicameral General Assembly composed of 100
27

1 members each representing a single district
2 would have the following advantages:
3

4 1. unicameralism would strengthen the legis-
5 lative branch of State government. A single
6 house permits more effective relations between
7 the executive and the legislature. The legis-
8 lative leadership will not be divided. The
9 leaders themselves will not be jealous of each
10 other. One of the most debilitating experiences
11 of many state legislatures is jealousy between
12 the two houses over various advantages that one
13 may have but which may be denied the other. If
14 this convention strengthens and unifies the
15 executive and judicial branches, a stronger and
16 more effective legislature is essential.
17

18 Thus we need a 20th Century legislature to
19 complement a 20th Century executive and judiciary.
20 A unified executive should not be counterbalanced
21 by a divided and weak legislature. If we are
22 to strengthen state government so that our fed-
23 eral system is to be preserved, it is essential
24 that the legislature, the weakest of the branches
25 today, be made a responsible branch of state
26 government.
27

28 2. Unicameralism will enhance the prestige of
29 the legislature and the influence and significance
30 of each legislator. Legislatures are in low
31 repute nationally. Opinion polls consistently
32 show them to have an unfavorable image. Members
33 often feel they are the forgotten men of American
34 politics.
35

36 Membership in a single chamber will carry greater
37 prestige. No member's influence is diluted.
38 Such a body will attract, on the average, more
39 able citizens to enter legislative service.
40

41 3. Responsibility is clearly focused in one
42 house, making legislators more responsive and
43 accountable to the people. One of the most
44 important advantages of unicameralism is that
45 it leads to a much higher degree of public
46 responsibility on the part of each member
47 because he recognizes the fact that there is no
48 other body to check him. Legislatures are not
49 improved by providing mechanisms which encourage
50 duplicity or hasty activity. Rather, legislatures

1 are strengthened primarily by encouraging
2 responsible behavior on the part of every
3 member.

4
5 Thus unicameralism far more definitely fixes
6 responsibility for every vote than does a
7 bicameral system. The public is entitled to
8 know what the special interests are doing,
9 with whom and to whom. The advantage of uni-
10 cameralism is that it clearly focuses public
11 attention on one house and makes it far easier
12 to trace the course of legislation and the
13 activities of lobbyists. It also makes it
14 easier for interested citizens who are not
15 organized into pressure groups to understand
16 the legislative process and get their recom-
17 mendations openly discussed in the legislature.

18
19 It is also instructive to note that every
20 lobbyist appearing before the Legislative
21 Branch Committee was an ardent, even passionate
22 advocate of bicameralism. We must conclude
23 that a bicameral legislature is much better for
24 special interests than a unicameral legislature.

25
26 4. A unicameral legislature will provide more
27 careful consideration of legislation. The
28 experience with unicameralism in Nebraska and
29 with unicameralism in local governments through-
30 out America clearly indicates that the death
31 rate of "unwise" legislation is as high in a
32 unicameral body as in a bicameral body. It
33 also indicates that the percentage of bills
34 introduced which ultimately are passed is
35 roughly the same.

36
37 By the adoption of suitable rules of procedure
38 and establishment of effective committee systems,
39 a unicameral legislature can assure that every
40 measure which comes before it can receive ade-
41 quate and careful consideration before it is
42 enacted. Adequate safeguards can be provided
43 to prevent precipitate action such as the
44 pre-adjournment of one house of a bicameral
45 legislature just to move bills to the opposite
46 house. A unicameral body also will not find
47 itself jammed with a flood of unseen bills
48 moving over from another house just as it is
49 ready to adjourn.

50

1 A great deal more can be achieved for the same
2 cost in a unicameral body than in a bicameral
3 body. For instance, it is going to be very
4 important in Maryland to have strong legislative
5 staffs for the review of executive programs.
6 One highly qualified staff can be obtained at
7 less cost than two inadequate staffs, and the
8 effect on the quality of legislation will be
9 greater.

10
11 When one analyzes all the arguments for bicam-
12 eralism they boil down to two defenses:

13
14 1. Bicameralism is traditional. So are elected
15 judges, long constitutions, divided executive
16 authority, and weak local governments. In other
17 words, the reasons for bicameralism are historical
18 rather than logical.

19
20 2. Bicameralism is supposed to provide checks
21 and balances. This cannot be denied. It is
22 also not too defensible. Why should the legis-
23 lature check itself? The governor has a veto.
24 The courts may strike down unconstitutional
25 acts. Strong government demands checks and
26 balances between the branches, not within each.
27 Bicameralism permanently relegates the legis-
28 lature to be the weakest branch of state govern-
29 ment by dividing the direct representatives of
30 the people against themselves.

31
32 We now turn to the specific arguments advanced
33 by Committee Report LB-1:

34
35 The first claim made by the committee is that,
36 "1. From a statistical point of view, bicamer-
37 alism really works in Maryland." What the statis-
38 tics of the committee do not show is that, of
39 the 129 House bills killed by the Senate in 1965,
40 only 73 were General Bills. Of the 63 Senate
41 bills killed in the House only 36 were General
42 Bills. While it is statistically true that one
43 house kills bills passed by the other, it is not
44 nearly so significant a number as the committee
45 would indicate.

46
47 The same kind of picture can be obtained by
48 looking at 1967 bills killed by the other house.
49 Fifty-nine House General Bills were killed in
50 the Senate and 68 Senate General Bills were

1 killed in the House. This statistical state-
2 ment, of course, says nothing of the virtues
3 of the bills killed. The law of averages
4 would suggest that two bodies looking at the
5 same proposition would disagree some of the
6 time.

7
8 If the experience of this Convention is used
9 as an illustration, consideration of the same
10 matter by two committees is bound to result
11 in a certain number of differences. The only
12 thing which the first point in Committee Report
13 LB-1 proves is that both houses pass bills and
14 that on some occasions one house refuses to
15 pass a bill enacted by the other house. Clearly
16 the two houses do check and balance each other,
17 but no qualitative justification whatever is
18 given for this occurrence.

19
20 What the committee neglects to mention in its
21 report about the two Houses is that one house
22 does not provide careful consideration of legis-
23 lation passed by the other house simply because
24 the second house never has an opportunity to
25 provide careful consideration. (see Table I)

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1 Table I. The Legislative Log Jan, 1966 and 1967
2
3 Number and Per Cent of Bills Passed by Both Houses
4 During Consecutive Two-Week Periods
5

	1966		1967	
	<u>No.</u>	<u>%</u>	<u>No.</u>	<u>%</u>
11 First and				
12 Second Weeks	2	0.3	0	0.0
14 Third and				
15 Fourth Weeks	24	3.1	33	4.2
18 Fifth and				
19 Sixth Weeks	25	3.1	31	3.9
22 Seventh and				
23 Eighth Weeks	91	11.5	101	12.8
26 Ninth and				
27 Tenth Weeks	651	82.0	624	79.1
31 Total Passed	794	100.0	789	100.0

1 In 1966, 82% of all bills enacted were enacted
2 in the last two weeks. In 1967, 79% of all bills
3 enacted were enacted in the last two weeks. In
4 1967, excluding local laws, the House of Delegates
5 sent 243 bills to the Senate, but 45% of them did
6 not reach the Senate until the last ten days of
7 the session--including Sundays. In the same
8 year the Senate sent 297 bills to the House, but
9 34% of those arrived in the same last ten days.
10 It is inconceivable that bills presented this
11 late in a session, when the work load on the
12 floor is at its peak, receive careful consider-
13 ation by the other house, either in committee
14 or on the floor.

15
16 It should also be emphasized that it is during
17 these last ten days that the legislation of
18 greatest significance often moves from one house
19 to the other. Because of the complexity and
20 difficulty of such legislative matters as the
21 budget, the house of origin does not have time
22 for careful consideration if it moves it earlier
23 in the session. In fact, the Chairman of the
24 Senate Finance Committee, in appearing before
25 the Legislative Branch Committee, testified
26 that differences which might arise between the
27 two houses on the budget, are resolved prior
28 to the submission of the budget to the two
29 houses by the respective financial committees,
30 so that both houses receive identical committee
31 recommendations.

32
33 In things that matter greatly, such as the
34 handling of the budget or in developing the
35 program of the Legislative Council, the present
36 legislature has been forced by the need for
37 careful consideration to go to what is in effect
38 a unicameral approach to legislative affairs.
39 An illustration of this is the Joint Committee
40 on Taxation and Fiscal Matters of the Legislative
41 Council which by all accounts is the strongest
42 committee of the legislative branch of government.
43 It consists of ten members from each house acting
44 together in what is basically a unicameral
45 situation.

46
47 We may conclude from the facts that are avail-
48 able and from the behavior of the legislature--
49 as contrasted with the theory of bicameralism--
50 that "hasty and ill considered" legislation

1 needing the check of a second house is almost
2 a self-fulfilling prophecy. One house must
3 hastily process bills to get them to the other
4 in time for even cursory review and action.
5 And the second house, because of the crush of
6 bills flowing from the other house, is unable
7 to carefully screen the measures it receives.

8
9 The second basis for bicameralism suggested
10 by the committee is "2. Bicameralism offers
11 greater opportunity for differing citizen
12 interest to be represented in the legislature."
13 Committee Recommendation LB-1 is to be commended
14 for using single member districts in both houses
15 if there is to be a bicameral legislature and
16 making the constituencies of Senators and Delegates
17 different. If, however, a unicameral legislature
18 is adopted for Maryland, a slightly smaller house
19 could be provided than the House of Delegates
20 proposed in the committee report. In such event
21 the disadvantages of unicameralism as far as
22 representation are concerned could be offset
23 by the increased importance, significance,
24 and visibility of each member.

25
26 Representation consists of more than a formal
27 relationship of interests to the member. It
28 consists also of the role played by the member
29 in the legislature. The actual differences in
30 senatorial and delegate constituencies in the
31 committee proposal will not be great, particu-
32 larly as we look to the future where 85 to 90%
33 of the population will live in similar highly
34 urbanized areas. In order to simplify the
35 entire election process and bring representatives
36 closer to the people, there should be only one
37 set of representatives upon whom the public can
38 clearly focus its attention. One of the most
39 important concomitants of representation is the
40 accountability and clear responsibility of the
41 representative to his constituents for his per-
42 formance in the legislature.

43
44 Bicameralism diffuses and dilutes this responsi-
45 bility. It permits a shifting of blame from
46 the delegates in a district to the senator who
47 runs in the same district. We believe that the
48 interests of the citizens would be far better
49 represented if the legislative power exercised
50 by representatives were undivided.

1 The third point advanced by the committee is
2 "3. A bicameral legislature with houses of
3 unequal size will insure that issues are viewed
4 from varying perspectives." This merely states
5 the obvious. If there are more than two repre-
6 sentatives in a single legislative body, legis-
7 lative issues will be viewed from varying
8 perspectives.
9

10 Contrary to the argument advanced of the committee
11 concerning one house with few committees and
12 another with many, the practices developing in
13 the General Assembly move in the direction of
14 fewer committees in both houses and joint com-
15 mittees for important affairs such as the budget.
16 This trend has been uniformly hailed. Its effect
17 is to further reduce the difference at the com-
18 mittee level between the Senate and the House.
19 It is pleasant to say that a senator "will not
20 engage in detailed analysis, but will confine
21 himself to larger questions." It is useful to
22 note that the committee presented no empirical
23 evidence upon which this claim is based. The
24 questions which interest a legislator are far
25 more likely to be the result of personality and
26 controversy than the existence of one or two
27 houses.
28

29 The fourth argument advanced by the committee
30 is that "4. Bicameralism permits legislators
31 to play differing roles and each house to operate
32 under different rules of procedure." It would
33 perhaps be more accurate to say that bicameralism
34 permits legislators to shift responsibility from
35 one house to the other and actually to make a
36 snow of legislating in one house in the secure
37 knowledge that the other house will kill a bill.
38 This is exactly in line with our argument that
39 bicameralism diffuses responsibility for legis-
40 lative acts rather than increasing it. While
41 extended floor debate in the Senate is extolled
42 in Committee Report LB-1, extended floor debate
43 in the Senate may often be a substitute for the
44 inadequacies of committee consideration of legis-
45 lation by the second house. The "second look"
46 is too frequently merely a glance.
47

48 The fifth reason advanced by Committee Report LB-1
49 is that "5. Bicameralism is more responsive to
50 the public will and offers more time for citizens
51 to learn what is happening in the legislature."

1 This statement is based upon the proposition that
2 people really do not know what is happening in
3 their legislature until one house acts and,
4 therefore, they need the other house so they
5 can rush to prevent the enactment of legislation
6 they did not know about until it was publicly
7 reported. We believe that rather than being
8 a justification for bicameralism, this is a ser-
9 ious indictment of the way in which the bicameral
10 system works. It indicates that bicameralism
11 works so poorly that the ordinary citizen cannot
12 discover what has occurred until one house has
13 acted. Legislation should be under constant
14 review by the public from the time of its intro-
15 duction through the time of its passage. Bicam-
16 eralism does not achieve this goal because, as
17 we have shown earlier, much legislation gets
18 to the other house too late for it to receive
19 serious consideration.

20
21 The bicameral system provides a facade of
22 citizen involvement as bills pass from one
23 house to the other, but very little of the
24 reality of citizen involvement in a careful
25 procedure of hearing, deliberation, debate,
26 review, and final passage. Such citizen in-
27 volvement does occur in a unicameral body.
28 Many of the local governments of Maryland,
29 which contain populations larger than some
30 states, operate with unicameral councils in
31 which it is more than fair to say that citizens
32 are well informed about what is occurring before
33 those bodies, and that they show up to express
34 their opinions.

35
36 Unicameralism would particularly benefit
37 minority groups, interest groups, and private
38 citizens because the responsibility and blame
39 for actions taken on bills could be clearly
40 fixed. Minority groups who have had long
41 histories of unfilled promises and buck passing
42 should welcome the opportunity of a unicameral
43 legislature so that they would know who is
44 living up to compaign promises.

45
46 The problem with bicameralism is that the
47 public does not understand it. It is very
48 difficult to understand the duplication
49 of the legislative process.

50

1 A second house is not now, has never been, and
2 will not be, an adequate safeguard against sloppy
3 legislation. In 1965 and 1967, although both
4 houses screened all the legislation enacted,
5 approximately 25 percent of all acts vetoed by
6 the governor were vetoed because they were uncon-
7 stitutional, or ambiguous, inaccurate, or deficient
8 in wording.

9
10 Committee Report LB-1 mentions that bicameralism
11 permits a delegate to graduate to the Senate. We
12 consider this a deficiency of bicameralism in
13 that by its very nature it creates two classes
14 of legislators. The Senators tend to have more
15 prestige and power in state government and are
16 considered more important in the counties or
17 cities from which they come. The House, unfor-
18 tunately, occasionally contains those who were
19 not yet regarded fit to run for the Senate.
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Constitutional Convention

ADDENDUM TO MINORITY REPORT NO. LB-1 (A)

BY DELEGATES HANSON, MILLER, SOLLINS, GILL

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB-1

TITLE

1 The following newspaper articles from the
2 Baltimore Evening Sun of 11-3-67 and from
3 the Washington Post of 10-26-67 are submitted
4 by the minority as representative of their
5 views on the issue of unicameral versus
6 bicameral legislature: --

7
8 Evening Sun
9 11-3-67

10
11 Bradford Jacobs' Column

HOW MANY HOUSES?

14
15 Annapolis.

16 Almost everything points to survival of an
17 old, two-house Legislature in the new State
18 constitution. Almost everything, but not
19 quite. There is still logic, which points
20 another way. It points toward the probabil-
21 ity that the case for a two-house system is
22 built on popular suspicions and legislative
23 myths, both obsolete. Logically, this is
24 the time for a new constitution to strike
25 out with a new, one-house legislature, and
26 a hardy knot of one-house supporters here
27 are determined to have their day on the

1 convention floor.

2

3 Tentative nose counts suggest the floor
4 still holds a safe majority of delegates for
5 the two-house plan. So does the committee
6 on the legislative branch, which wrote the
7 plan. But fluctuating figures reflect a
8 turbulence which persists among delegates
9 of both persuasions, and the forthcoming
10 debate should offer the convention one of
11 its high points.

12

13 Essentially, the debate arises as the
14 follow-up of a Supreme Court ruling three
15 years ago. This was the one-man, one-
16 vote rule, and it cut away the ground upon
17 which the two-house system stood from the
18 beginning. Only people are entitled to
19 be represented in state government, the
20 Court said, and not some arrangement of
21 geography. As a result, any legislative
22 house representing geography instead of
23 people, as one of the two houses usually
24 did, was a house laboring under pointed
25 Court disapproval.

26

27 It is true the Court stopped short of
28 actually ruling out a second legislative
29 house. Maryland, for one, reoriented its
30 Senate toward the people and continued on
31 much as before. But the court did rule
32 out the original reason for two houses
33 and so, with that gone, is a second house
34 worth keeping alive? On this question
35 delegates split, but the bicameralists
36 begin with both a strategic advantage and
37 momentum.

38

39 They lead strategically because of the
40 fear always present here that any dramatic
41 departure from things as they are will
42 frighten voters away from the constitution
43 next year. At first glance, a one-house
44 legislature does have a dramatically dif-
45 ferent look; even unicameralists have no
46 interest in noble failure. Momentum is
47 on the two-house side, too, because the
48 Eney commission first took that tack and
49 because the convention's own committee
50 more or less followed along. But these

1 are only the circumstances.

2
3 The direct argument cited for the two-
4 house system dwells on its supposed pro-
5 tection against another sort of hazard,
6 this time the hazard of legislative
7 passions. Here arises the second-look,
8 or "cup-and-saucer" theory, which works
9 this way. When one house in a fit of
10 legislative abandon passes a dangerous
11 bill, the second house is there to inter-
12 cept it, as a saucer intercepts spilled
13 coffee threatening the pants. But this
14 double fear, first of voters and second of
15 legislators, is a fear the unicameralists
16 rightly brush aside. A constitution written
17 in fear is just what they have been called
18 up to change.

19
20 Instead, they discern in the one-man,
21 one-vote rule an opportunity to free
22 Maryland at last from generations of legis-
23 lative intrigue. A one-house legislature,
24 they reason, automatically disposes of the
25 old Annapolis shell game as played between
26 the two houses. It is a game wherein none
27 can tell from the outside who did what to
28 whom, let alone why. Each house obscures
29 the other.

30
31 Probably legislators will carry some of
32 their mysterious ways into any system, but
33 this much seems plain: one house is
34 harder to hide in than two. Ideally, one
35 house alone stands open to a clear under-
36 standing of the business afoot and, conse-
37 quently, of where to fix the blame or award
38 the praise. This is the overriding consider-
39 ation, for there follows from it the likeli-
40 hood of greater respect for legislative
41 functions and even of better legislators.

42
43 This convention is still sorting out its
44 own beliefs between these two rival sets
45 offered. The two-house plan is to be laid
46 before all the delegates as carrying the
47 support of a committee majority. But a
48 minority report favoring the one-house
49 idea is also to be submitted, evidently
50 with the support of the committee chairman,

1 Delegate Gallagher.

2

3 Two-house supporters have made the best
4 of a doubtful undertaking. Under their
5 plan, the larger of the two houses would
6 draw its members, 105 in all, from small,
7 individual districts; in this house voters
8 are to find their closest touch with the
9 legislative process. In the smaller house,
10 the 35 members would be drawn from districts
11 broad enough to balance parochial tendencies
12 on the large-house side and thus to furnish
13 legislative perspective. One-house backers
14 have yet to complete their plan, but the
15 opposing principle is clear.

16

17 Probably the two-house arrangement as
18 recommended is an improvement on the present-
19 ly elusive, double-image legislature. But
20 it is an improvement with a built-in flaw:
21 the double image is still there. Not until
22 Maryland is fitted out with a legislature
23 capable of transacting the public business
24 under the clear scrutiny of the public eye
25 are legislators likely to make public inter-
26 est the only consideration.

27

28 For that a one-house legislature is the
29 better bet. A double-image rig will no
30 longer do, however high the polish.

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1 The Washington Post
2 10-26-67
3 Editorial
4 Maryland's Legislature
5

6 The decision by a committee of Maryland's
7 Constitutional Convention to retain a
8 bicameral legislature was to be expected.
9 The majority of the delegates in Annapolis
10 are progressive and daring, but not daring
11 enough to depart from the two-house legis-
12 lative system that has served the Nation
13 and every state but one since 1783. Yet,
14 the old arguments for a bicameral legislature
15 were almost totally destroyed by the Supreme
16 Court's one man-one vote decision and we
17 think the establishment of a one-house
18 legislature in Maryland would be a step
19 forward.
20

21 The creation of a unicameral legislature
22 in Maryland would do two things that must be
23 accomplished. It would enhance the prestige
24 of the legislature and of its members by
25 allowing them to start afresh without having
26 to live down the history of their predeces-
27 sors. It would also focus responsibility
28 on the members of the legislature who have
29 been able to evade that responsibility in
30 the past by blaming each unfortunate happening
31 on members of the other house. In that
32 regard, it is of no little interest that
33 the men who are paid to lobby at Annapolis
34 all prefer retention of a two-house system.
35

36 Other than tradition, the only arguments
37 for a bicameral legislature remaining after
38 Baker v. Carr are that the states have had
39 little experience with unicameralism, that
40 one house of a legislature can restrain
41 the other, and that the two houses can
42 represent different interests despite the
43 Supreme Court's ruling. The record of
44 Nebraska's unicameral legislature seems to
45 negate two of these arguments. Its citizens
46 seem pleased with their system and it has
47 no more trouble with impulsive legislation
48 than Maryland has had with two houses.
49

50

1 The argument that carries weight for
2 bicameralism now is that each house can
3 represent different interests by making
4 one large enough to have small districts
5 and the other small enough so that its
6 members lose the parochialism a small
7 district can bring. To achieve this, a
8 bicameral legislature must have single-
9 member districts and the committee at
10 Annapolis has voted for such districts.
11 This provision must stay in the new
12 Constitution if bicameralism is to have
13 any meaning at all.

14
15 Related to this is the size of the
16 General Assembly to be decreed by the
17 Constitution. A maximum number must be
18 set in that document or else the Assembly
19 will grow to gigantic proportions. The
20 problem is that the old Maryland tradition
21 of one representative for each county is
22 doomed. Current population projections
23 indicate that by 1980 the Assembly would
24 have to have more than 400 members if it is
25 to follow that old tradition. Since such
26 a number is clearly unworkable, the smaller
27 counties must now face the fact that they
28 can no longer have a man in Annapolis to
29 call their own. There is no alternative
30 as long as one man-one vote is the law.

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Constitutional Convention

MINORITY REPORT NO. LB 1 (B)

BY DELEGATES CLARK, HANSON, HOPKINS, SOLLINS

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB 1

TITLE

1 A MINORITY REPORT that Section 3.04 of the
2 new Constitution provide for a Senate of 40
3 members and a House of Delegates of 80 members,
4 to read as follows:

5
6 The number of members of each house of
7 the General Assembly shall be as prescribed by
8 law, but the number of delegates shall not
9 exceed eighty and the number of senators shall
10 be one-half the number of delegates.

11
12 Comment:

13
14 The purpose of this minority report is to
15 recommend a state legislature that is large
16 enough to do the work but small enough to be
17 clearly visible to the voters of Maryland. The
18 signers of this report believe that 40 senators
19 and 80 delegates is the ideal number for
20 achieving these twin goals.

21
22 The largest state in the United States,
23 California, governs its 18 million citizens
24 very effectively with a 40-80 state legislature.
25 In fact, California is praised nationally for
26 having one of the most progressive and efficient
27 state legislatures in the United States.

1 Certainly Maryland could govern its 3 million
2 citizens most effectively with a 40-80 legislature.

3
4 As for visibility, a 40-80 legislature would
5 be small enough that all Marylanders could easily
6 keep track of what is happening at the General
7 Assembly. The smaller size would permit each
8 individual legislator to play a larger role in the
9 General Assembly, thereby increasing his importance
10 both in his own eyes and in the eyes of his consti-
11 tuents. A legislator elected to a smaller house
12 also will be able to serve on more important legis-
13 lative committees and play a larger role in the
14 work of these committees. The increase in legis-
15 lator importance that will result from 40-80 will
16 go a long way toward reducing the harmful turnover
17 at the present General Assembly (only approximately
18 20 per cent of the incumbent legislators in Maryland
19 return after serving their first four year term).

20
21 A legislature with 40 senators and 80 delegates
22 would be cheaper to operate. More importantly,
23 it would make it less expensive to provide each
24 legislator with adequate office space and competent
25 staff assistance. The 40-80 proposal would also
26 make it possible to pay each individual legislator
27 a higher salary but at less total cost than what is
28 now paid the present legislature of 43-142.

29
30 The literature of Political Science strongly
31 stresses the point that it is better to have a
32 small legislature made up of full-time professionals
33 rather than a large legislature made up of part-
34 time amateurs. The most important attribute of
35 the 40-80 plan is that it would be an important
36 first step toward creating a full-time, highly
37 professionalized legislature for Maryland.

38
39 When first proposed to the Committee on the
40 Legislative Branch, the 40-80 legislature failed
41 by a tie vote of 10 to 10. Those voting in favor
42 of 40-80 were:

43
44 Bamberger Gill
45 Bard Hanson
46 Burdette Hopkins
47 Clark Scanlan
48 Gallagher Sollins
49
50

Constitutional Convention

MINORITY REPORT NO. LB 1(C)

BY DELEGATES GILCHRIST, BUSHONG, ANDERSON,
LINTON, GLEASON, DELLA

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB 1

TITLE

1 A MINORITY REPORT that Section 3.04 of the
2 new Constitution provide for a General
3 Assembly with a total membership of 180 in
4 the Senate and House of Delegates, to read
5 as follows:

6
7 Section 3.04 - Composition of the General
8 Assembly
9

10 The General Assembly shall prescribe by law
11 the number of members of each house of the
12 General Assembly, but the total membership of
13 both houses shall not exceed one hundred and
14 eighty. The General Assembly shall prescribe
15 by law the ratio of the number of members of
16 the House of Delegates to the number of members
17 of the Senate, but the ratio shall not be
18 greater than four to one. The state shall be
19 divided by law into districts for the election
20 of senators. Senatorial districts shall consist
21 of not more than four whole delegate districts
22 or a multi-member delegate district represented
23 by not more than four delegates.

24
25 Comment:

26
27 The Committee on the Legislative Branch, after
28 having had the benefit of hearing much testimony,

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1 doing much research and engaging in sharp
2 debate, has produced a recommendation for
3 Section 3.04, relating to the composition of
4 the Legislature which, as a whole, is entirely
5 satisfactory to almost no one on the Committee.
6

7 The Commission's draft of the legislative article
8 provided that the number of members of the
9 legislature should be prescribed by law, with
10 no restrictive language whatsoever. The great
11 majority of the Committee believes that some
12 constitutional limit should be prescribed, in
13 order to prevent the General Assembly from becoming
14 excessively large and unwieldy. Some American
15 legislatures have so increased in size that tremen-
16 dous practical problems of operation result. An
17 example is found in New Hampshire's size of 424.
18 The attempt to assure for all time a delegate
19 from each of the smallest counties in Maryland,
20 with the existing great disparity of both popu-
21 lation and population growth rates, and at the
22 same time to achieve a workable size, is exceedingly
23 difficult.
24

25 The membership of the Committee was sharply split
26 in basic approach to this problem, with some members
27 so concerned about size that concern over represen-
28 tation of smaller counties, or even groups of
29 counties, disappeared. Others were so concerned
30 over small counties that interest in workable size
31 faded from view.
32

33 Other sharp differences occurred with respect to
34 matters affecting the composition of the legislature,
35 including single or multi-member house districts
36 and residence requirements.
37

38 It cannot be doubted that it will be necessary to
39 change the composition of the General Assembly in
40 future years to accommodate to changing needs. In
41 a state which is essentially heterogeneous in character,
42 and is likely to remain so, preservation of represen-
43 tation of various communities of interest is not easy,
44 yet the minority feels it is imperative to try to do
45 something toward this end.
46

47 The maximum number of delegates permitted under this
48 minority recommendation is 144. With proper distric-
49 ting, the people of even the smallest county would have
50 at least the opportunity to elect a delegate after the
51

1 next decennial census, on the basis of projected
2 figures. Reduction of the House of Delegates to
3 105, as proposed by the committee majority, would
4 insure that a number of small counties will not be
5 represented.

6
7 Under the Committee proposal, in 1970 delegate dis-
8 tricts would contain 37,700 people, a few blocks
9 in Baltimore, but two whole counties on the Eastern
10 Shore. Options are available under this minority
11 recommendation which would permit a more traditional,
12 less radical, approach to the problems of represen-
13 tation. The majority approach freezes membership of
14 the General Assembly into little kingdoms, radically
15 changing the patterns of present apportionment, and
16 quite probably depriving the State of the services
17 of experienced and able legislators.

18
19 Under the minority proposal, the General Assembly
20 has the flexibility it requires to deal with change.
21 It may lower the size if the bodies become unwieldy.
22 It may increase, within limits, to provide better
23 representation of a diverse electorate. It may use
24 a single-member or multi-member district, or a com-
25 bination of them, as many states do. It may use the
26 slot system, requiring candidates to run for a definite
27 seat in each multi-member district, as is done in
28 some states. It may permit cumulative voting for
29 members of the lower house, as does Illinois, in the
30 attempt to adequately represent communities of
31 interest.

32
33 In summary, this minority believes that the approach
34 contained in its proposal presents a compromise more
35 acceptable to various points of view in the Convention
36 than that of the Committee proposal. It believes the
37 advantages to be:

38
39 1) It affords the possibility of better repre-
40 sentation of communities of interest, and at the same
41 time limits size to prevent excessive unwieldiness.

42
43 2) It provides greater adaptability to changing
44 populations and area characteristics.

45
46 3) It permits greater flexibility in reapportion-
47 ment and better possibilities of preserving traditional
48 boundaries and representation.

49
50 4) It gives much greater flexibility in delegate
representation, yet reduces voter confusion from long

1 ballots.

2
3 5) It allows a choice of single or multi-
4 member districts, the slot system or cumulative
5 voting.

6
7 6) It offers an alternative far more palatable
8 to many voters of this state than the majority
9 recommendations.

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Constitutional Convention

MINORITY REPORT NO. LB 1(D)

BY DELEGATES GLEASON, LINTON, DELLA, PETERS

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB 1

TITLE

1 A MINORITY REPORT that Section 3.04 of the
2 new Constitution permit the General Assembly
3 to set its own size, to read as follows:
4

5 The number of members of each house of the
6 General Assembly shall be as prescribed by
7 law.
8

9 Comment:

10
11 In its final report, the Constitutional
12 Convention Commission noted that the optimum
13 size of a house of elected representatives
14 reflects a delicate balance between many
15 factors. Among these factors are the size
16 of the population represented, the divergent
17 interests within the electorate, the proper
18 number for effective debate, and protecting
19 the desire of smaller counties to have at
20 least one delegate representing them in the
21 legislature. The Commission report wisely
22 noted that these factors change over periods
23 of time and, as a result, it is very unwise
24 to set the size of the legislature in anything
25 as static and difficult to change as a state
26 constitution.
27

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1 The Commission's recommendation to let the
2 legislature set its own size was strongly sup-
3 ported in the recent study of the General
4 Assembly carried out by the Eagleton Institute
5 of Politics at Rutgers University in New Bruns-
6 wick, New Jersey. Although noting that the
7 General Assembly is large when compared with
8 other state legislatures, the Eagleton investi-
9 gators pointed out that they received no com-
10 plaints from Maryland legislators about the size
11 of the two houses. The report stated that to
12 repeat the turmoil of Maryland's recent
13 re-appointment merely to reduce the size of the
14 legislature would be irrational and ill-advised.
15 In fact, the Eagleton study strongly endorsed
16 the recommendation of the Constitutional Conven-
17 tion Commission that the number of members of
18 each house be determined directly by legislative
19 enactment.

20
21 Another reason for leaving legislative size
22 to the legislature itself is that it permits
23 maximum flexibility for adjusting to future
24 Supreme Court decisions in the area of re-
25 apportionment and re-districting. Many important
26 re-districting questions - such as unequal
27 slotted legislative districts and fractional votes
28 in the legislature - have not yet been decided
29 by the courts. If a major change in re-apportion-
30 ment requirements occurs at some future date, the
31 legislature will be free to quickly take advantage
32 of such changes.

33
34 Legislative determination of legislative size
35 also has the beneficial effect of removing the
36 politically controversial problem of "at least
37 one delegate per county" from the new Constitu-
38 tion and, more importantly, from the referendum
39 vote on the new Constitution. As Majority Recom-
40 mendation L-1 so wisely states, the most diffi-
41 cult problem faced by the Committee on the Legis-
42 lative Branch was how to limit the size of the
43 legislature but still preserve "at least one
44 delegate per county." By adopting legislative
45 size, the Convention can remove this difficult
46 problem from the referendum on the new Consti-
47 tution and place the question squarely where it
48 belongs - in the legislature itself.

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16 public info.

Constitutional Convention

MINORITY REPORT NO. LB 1(E)

BY DELEGATES HOPKINS, SOLLINS, HANSON, CLARK

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6, , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB1

TITLE

1 A MINORITY REPORT that Section 3.05 of the
2 new Constitution not contain a district resi-
3 dence requirement for running for the General
4 Assembly, to read as follows:

5
6 To be eligible as a senator or delegate
7 a person shall be a qualified voter of the
8 State of Maryland at the time of his election
9 or appointment and shall have been a resident
10 of the State for at least two years immediately
11 preceding his election or appointment.

Comment:

12
13
14
15 The effect of the proposed amendment would
16 be that the only residence requirement for
17 members of the General Assembly would be
18 living in Maryland. The purpose in eliminating
19 district residence is not to permit legislators
20 to represent areas in which they do not live but
21 to avoid the unfair situations which will fre-
22 quently arise as we enter an era of frequent
23 redistricting.

24
25 The Committee discussed the problem of the
26 incumbent whose seat is redistricted out from
27 under him. All agreed, however, that no wording,

1 including that in the majority recommendation,
2 could cover all situations.

3
4 The only way to guarantee completely fair
5 treatment is to leave residency requirements
6 out of the constitution. In these days of
7 high mobility and communication, the arguments
8 for district residency requirements are unsound.
9 Surely the voters in each district will reject
10 those candidates who they think will not repre-
11 sent their districts properly. There are presently
12 no residency requirements for members of Congress
13 and candidates have not often filed in districts
14 away from their homes. The only candidate trying
15 this in Maryland in recent times was defeated
16 soundly.

17
18 This amendment is proposed to protect (1)
19 incumbents who may not be in a position to
20 move into new homes (2) incumbents who find that
21 two friendly and able legislators are suddenly in
22 the same single member district (3) citizens
23 planning to run in an area where they have support
24 who find the district changed just before election
25 filing deadlines (4) those who run for office
26 who live in precincts which, because of their
27 location, swing back and forth between districts
28 with each census. The amendment also will prevent
29 gerrymandering efforts.

30
31 At best, the majority's wording gives an incum-
32 bent four years to move after new lines are drawn.
33 This seems hardly enough to guarantee fairness in
34 the many redistricting and re-apportionment situa-
35 tions which may arise every ten years. Further-
36 more, those living in the central part of established
37 districts will have an unfair advantage over those
38 in swing areas.

39
40 The motion for no district residence requirement
41 failed before the Committee on the Legislative
42 Branch by a vote of only 9 to 11. Those voting in
43 favor of having no district requirement were:

44
45 Bard Neilson
46 Burdette Scanlan
47 Clark Sollins
48 Hanson Linton
49 Hopkins

50
51

Constitutional Convention

MINORITY REPORT NO. LB 1(F)

BY DELEGATES BARD, GLEASON, MILLER, SOLLINS,
HANSON

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 6 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB 1

TITLE

1 A MINORITY REPORT that Section 3.12 of the
2 new Constitution provide for legislative
3 termination of sessions of the General
4 Assembly, to read as follows:
5

6 The General Assembly shall meet in
7 regular annual sessions convening on the
8 third Wednesday of January of each year
9 unless otherwise prescribed by law.
10

Comment:

11
12
13 The principal reason for permitting the
14 General Assembly to set its own session
15 length is a fundamental belief in the ability
16 and integrity of the legislature to set its
17 own schedule. The General Assembly is respon-
18 sible enough to rule itself and does not need
19 a Constitutional deadline in order to maintain
20 legislative discipline.
21

22 It is true that a legislature faced with a
23 constitutional deadline for adjournment may
24 have a spur to action, but forced action is
25 often precipitous and unwise. The possible
26 additional expense of a legislatively deter-
27 mined session is a small price to pay for a

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University of Maryland Library
College Park, Md.

1 sound legislative product.

2
3 A legislatively determined session would
4 also end the logjam of hastily passed bills
5 that makes such a joke of the last two weeks
6 of a Constitutionally limited session. In
7 the 1965 and 1966 sessions of the Maryland
8 legislature, 80 per cent of the bills were
9 enacted in a rush in the last two weeks. This
10 is obviously no way to do business. A legis-
11 latively determined session would permit the
12 General Assembly to adjust its session length
13 to the workload and would avoid the pressure
14 and inevitable mistakes of a last minute
15 logjam.

16
17 A legislatively determined session would
18 also eliminate the need to amend the Consti-
19 tution at a future date when a 90 day session
20 proves woefully inadequate. History has shown
21 that legislative session length changes fre-
22 quently. In recent years, Maryland has changed
23 from biennial sessions to annual sessions, then
24 from a 60 day session alternating with a 30 day
25 session to a straight 70 day session every year.
26 Even now the legislature is asking for a further
27 change to 90 days. Certainly a rule of state
28 government that has changed so frequently in the
29 past should not be put in the Constitution where
30 it cannot be easily changed in the future.

31
32 Another argument in favor of the legislatively
33 determined session is that it strengthens the
34 position of the legislature vis-a-vis the governor.
35 With a limited session, the governor becomes
36 virtually all powerful in state government after
37 the date when the legislature is constitutionally
38 forced to adjourn. The limited session also
39 strengthens the governor's veto, because all
40 legislation vetoed after the legislature adjourns
41 is not immediately subject to the General Assembly
42 over-riding the veto.

43
44 A legislatively determined session also will
45 give the General Assembly more time to consider
46 the governor's budget. Virtually every member
47 of the present General Assembly who testified before
48 the Committee on the Legislative Branch stated
49 that insufficient time was available under the
50 constitutionally limited session to adequately

1 consider the budget. With the governor's
2 budget now above \$1 billion and growing
3 larger every year, there is no question
4 that the legislature should be permitted
5 to set its own schedule so that budget
6 consideration can be lengthier and more
7 detailed.

8
9 It should also be kept in mind that,
10 historically speaking, legislative time
11 limits were first instituted because it
12 was hoped this would keep the legislature
13 from "Going too much." Certainly this is
14 a preposterous device for remedying poli-
15 tical ills. No business organization would
16 be so silly as to try to improve an ineffi-
17 cient directorate by compelling directors'
18 meetings to adjourn at the end of two hours
19 or restricting such meetings to 90 days a
20 year. No one would risk his sanity by
21 arguing that the cure for a faulty court system
22 would be to have the judges sit only from New
23 Year's Day to Easter. This same logic is
24 applied to the Maryland legislature, however.
25 The time has come to trust the legislature to
26 know how long it should meet and under what
27 rules and regulations.

28
29 Legislatively determined sessions are
30 advocated by the Model State Constitution of
31 the National Municipal League and by the Com-
32 mittee on the Legislative Department of the
33 Maryland Constitutional Convention Commission.
34 Maryland's two United States Senators, Daniel
35 Brewster and Joseph Tydings, both of whom are
36 former members of the General Assembly, argued
37 for legislatively determined sessions when
38 testifying before the Committee on the Legis-
39 lative Branch. A motion to adopt legislatively
40 determined sessions failed in the Committee on
41 the Legislative Branch by a vote of 10 to 10.
42 Those voting in favor were:

43
44 Bard Hanson
45 Bamberger Miller
46 Gallagher Neilson
47 Gill Scanlan
48 Gleason Sollins
49
50

Maryland Room
University of Maryland Library
College Park, Md.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

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No LB-1 as
amended

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Constitutional Convention

TO ACCOMPANY MINORITY
REPORT LB 1 (A)

AMENDMENT NO. /

~~To Amendment No.~~

To Committee Recommendation No. LB 1

BY DELEGATES HANSON, MILLER, SOLLINS, GILL

1 On page 1 of Committee Recommendation LB 1
2 strike all of Section 3.01. Legislative
3 Power and insert in lieu thereof the following
4 sections:

5
6 Section 3.01. Legislative Power

7
8 The legislative power of the State is
9 vested in the General Assembly, which shall
10 consist of one house

UNFAVORABLE
A-39
N-92

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Can encounter itself

credentials as good
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Courage

city councils have not been
the models of efficiency

reapportionment legislation

VISIBILITY of the
Court Committee

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ber 7, 1967

unicameralism; nay, bicameralism

CONSTITUTIONAL CONVENTION OF MARYLAND

1967
ROLL CALL

amend to LB 1

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Constitutional Convention

AMENDMENT NO. 2

~~To Amend Article No. xxxxxxx~~

To Committee Recommendation No. LB-1

BY DELEGATE GLEASON

1 On page 1 in Section 3.01, Legislative Power,
2 line 16, strike out the words "House of Delegates"
3 and insert in lieu thereof "House of Representatives";
4 and

5
6 On pages 1, 2 and 3 in Sections 3.04, Composi-
7 tion of the Legislature, 3.05, Qualifications of
8 Legislators, and 3.12, Legislative Sessions, in
9 each place where the words "delegate", "delegates",
10 or "Delegates" appear, strike out such words and
11 insert in lieu thereof the words "representative",
12 "representatives", or "Representatives", respectively.

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Unfavorable
voice vote

Constitutional Convention

AMENDMENT NO. 3 TO ACCOMPANY MINORITY
REPORT LB 1 (B)

To Amendment No. 3

Ref.

To Committee Recommendation No. LB 1

BY DELEGATES CLARK, HANSON, HOPKINS, SOLLINS

1 On pages 1 and 2 of Committee Recommendation
2 No. LB 1 strike all of Section 3.04.
3 Composition of the Legislature and insert in
4 lieu thereof the following section:

5
6 Section 3.04. Composition of the Legislature

7
8 The number of members of each house of the
9 Legislature shall be as prescribed by law, but
10 the number of delegates shall not exceed eighty
11 and the number of senators shall be one half the
12 number of delegates. Each delegate shall repre-
13 sent one delegate district and each senator shall
14 represent one senate district. Each senate dis-
15 trict shall be composed of two whole delegate
16 districts.

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Constitutional Convention

AMENDMENT NO. 4

TO ACCOMPANY MINORITY
REPORT LB-1 (D)

~~XXXXXXXXXXXXXXXXXX~~
To Amendment No. _____

To Committee Recommendation No. LB-1

BY DELEGATE S GLEASON, LINTON, DELLA, PETERS

1 On pages 1 and 2 of Committee Recommendation
2 No. LB-1, line 23, after the word "law" strike
3 out the comma and the remainder of the sentence
4 on line 24 and on page 2 lines 1 and 2 and insert
5 in lieu thereof a period.

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Constitutional Convention

AMENDMENT NO. 5 TO ACCOMPANY MINORITY
REPORT NO. LB 1 (C)

To Amendment No. _____

To Committee Recommendation No. LB 1

BY DELEGATES GILCHRIST, BUSHONG, ANDERSON,
LINTON, GLEASON, DELLA

1 On pages 1 and 2 of Committee Recommendation No.
2 LB 1 strike all of Section 3.04. Composition
3 of the Legislature and insert in lieu thereof
4 the following section:

5
6 Section 3.04. Composition of the Legislature

7
8 The General Assembly shall prescribe by law
9 the number of members of each house of the
10 General Assembly, but the total membership of
11 both houses shall not exceed one hundred and
12 eighty. The General Assembly shall prescribe
13 by law the ratio of the number of members of
14 the House of Delegates to the number of members
15 of the Senate, but the ratio shall not be
16 greater than four to one. The state shall be
17 divided by law into districts for the election
18 of senators. Senatorial districts shall consist
19 of not more than four whole delegate districts
20 or a multi-member delegate district represented
21 by not more than four delegates.

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MARYLAND & RARE BOOK ROOM
UNIVERSITY OF MARYLAND LIBRARY
COLLEGE PARK, MD.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Sec 1 of
Amend 5 to
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x Fred	•	Finch	•		• Malkus			Sickles		
nn B-6		Fornos	•		Marion	•		B-1 • Siewierski		
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All		B-6 • Frederick			Maurer	•		• Smith, J. H.		
t	•	Freedlander	•		Mentzer	•		• Smith, M. H.		
B-6		Gallagher	•		Miller, B.	•		Sollins		
	•	Gilchrist			Miller, E. T.	•		• Sosnowski		
	•	Gill	•		Mitchell	•		• Soul		
	•	M Gleason			Morgan	•		Stern		
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s P.G.		Hardwicke	•		Murray, E. C.	•		B-6 • Vecera		
g	•	Hargrove	•		Needle	•		Wagandt		
Bol Cr -7		Pal • Harkness			Neilson	•		• Webb		
	•	Harris	•		Neumann	•		• Webster		
all Bol Cr -6		Henderson	•		O'Connor	•		• Weidemeyer		
	•	Hickman			Pascal	•		B-6 • Wheatley		
How	•	Hopkins	•		Penniman	•		White		
Bol Cr -3		• Hostetter			• Peters			Willis	How	
t	•	Hutchinson	•		Powers	•		Willoner		
	•	Jett	•		Price	•		Winslow		
	•	B-1 • Johnson			• Pullen					
	•	B-2 • Kahl			• Raley					

N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200			JAN. 2
• 0 0	0 0	1000 100	10 1	3
1 1	1 1	2000 200	20 2	1
2 2	2 2	3000 300	30 3	2
3 3	3 3	4000 400	40 4	3
4 4	4 4	500 50	50 5	4
5 5	5 5	RESO. 600	60 6	5
6 6 •	6 6	2-R. 700	70 7	6
7 7	• 7 7	3-R. 800	80 8	SEPT. 7
8 8	8 8 •	QUO. 900	90 9	OCT. 8
9 9	9 9	MOT. 000	00 0	• NOV. 9
				DEC. 0

Constitutional Convention

AMENDMENT NO. 6 *REJECTED*

~~XXXXXXXXXXXXXXXXXXXX~~
~~To Amendment No. XXXXX~~

To Committee Recommendation No. LB-1

BY DELEGATE KIRKLAND
A

- 1 On page 1 line 24 of Committee Recommendation
2 No. LB-1, strike out the words "one hundred
3 five" and insert in lieu thereof the words
4 "one hundred forty-two";
5
6 On page 2 lines 1 and 2, strike out the
7 words "be one-third the number of delegates"
8 and insert in lieu thereof the words "not
9 exceed forty-three"; and
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11 On page 2 line 4, strike out the words "Each
12 senate" and strike out all of lines 5 and 6.
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MARYLAND & RARE BOOK ROOM
UNIVERSITY OF MARYLAND LIBRARY
COLLEGE PARK, MD.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

*Amend No 6
to LB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
nt	•	Claggett	•		Key	•		Robey, F. C.	•	
J.	•	• Clarke, E. J.			• Kiefer			Robie, K. L.	•	
	•	• Cleveland			• Kirkland			• Rollins		
son		• Dabrowski			Koger	•		• Rosenstock		
		• Darby			Kosakowski	•		• Rush		
		Della	•		Koss	•		• Rybczynski		
on		• Dorsey			Leitzel	•		Scanlan	•	
	•	Dukes	•		• Linton			Schloeder	•	
arger	•	Dulany	•		Lord	•		Schneider	•	
	•	• Eckenrode			Macdonald			Sherbow	•	
	•	Finch	•		• Malkus			Sickles	•	
nn		Fornos	•		Marion	•		Siewierski	•	
ey		Fox	•		Mason	•		Singer	•	
		• Frederick			Maurer	•		Smith, J. H.	•	
t	•	Freedlander	•		Mentzer	•		• Smith, M. H.		
		Gallagher	•		Miller, B.	•		Sollins	•	
	•	• Gilchrist			Miller, E. T.			• Sosnowski		
	•	Gill	•		Mitchell	•		• Soul		
	•	• Gleason			Morgan	•		Stern	•	
	•	• Grant			Moser	•		• Storm		
•		• Groh			• Mosner			• Sybert		
law	•	Grumbacher	•		Mudd	•		Taylor, H. E.	•	
	•	Gullett	•		• Murphy			Taylor, L.	•	
te	•	Hanson	•		Murray, D. S.	•		Ulrich	•	
s		Hardwicke	•		• Murray, E. C.			• Vecera		
ig		Hargrove	•		Needle	•		Wagandt	•	
		• Harkness			Neilson	•		• Webb		
	•	Harris	•		Neumann	•		• Webster		
ell		Henderson	•		O'Connor	•		• Weidemeyer		
	•	• Hickman			Pascal	•		• Wheatley		
	•	Hopkins	•		Penniman	•		White	•	
	•	• Hostetter			• Peters			Willis	•	
ot	•	• Hutchinson			Powers	•		Willoner	•	
	•	Jett	•		• Price			Winslow	•	
	•	• Johnson			• Pullen					
		• Kahl			• Raley					

	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
	100-200	100-200			JAN. 2
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1	1 1	1 1	2000 200	20 2	1
2	2 2	2 2	3000 300	30 3	2
3	3 3	3 3	4000 400	40 4	3
4	4 4	4 4	500	50 5	4
5	5 5	5 5	RESO. 600	60 6	5
6	6 6 •	6 6	2-R. 700	70 7	6
7	7 7	• 7 7	3-R. 800	80 8	SEPT. 7
8 •	8 8	8 8 •	QUO. 900	90 9	OCT. 8
9	9 9	9 9	MOT. 000	00 0	• NOV. 9
					DEC. 0

Constitutional Convention

AMENDMENT NO. 7 *Rejected*

To Amendment No. _____

To Committee Recommendation No. AE-1

BY DELEGATE CLOPP

1 On page 1 to Article 2.04 Composition of
2 the Legislature. Now do strike out the words
3 "one hundred five" and insert in lieu thereof
4 the words "one hundred twenty-three".
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MARYLAND RARE BOOK ROOM
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COLLEGE PARK, MD.

Constitutional Convention

AMENDMENT NO. 8

~~For Amendment No. XXXXXX~~

To Committee Recommendation No. _____

BY DELEGATES - SHERBOW, JAMES, SYBERT,
Clarke

1 On page 1 in Section 3.04 Composition of the
2 Legislature line 24, strike out the words "one
3 hundred five" and insert in lieu thereof the
4 words "one hundred twenty".

ADOPTED

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Constitutional Convention


AMENDMENT NO. 1

To Amendment No. 8

To Committee Recommendation No. LB-1

BY DELEGATE S BAMBERGER, HANSON, SOLLINS

1 In line 4 of Amendment No. 8, strike out
2 the words "one hundred twenty" and insert
3 in lieu thereof the words "one hundred eight".
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CONSTITUTIONAL CONVENTION OF MARYLAND

1967

ROLL CALL

Amend 8
2-23-1

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ent		• Claggett			Key			• Robey, F. C.		
J.		• Clarke, E. J.			• Kiefer			• Robie, K. L.		
		• Cleveland			• Kirkland			• Rollins		
		• Dabrowski			• Koger	•		• Rosenstock		
son		• Darby			• Kosakowski			• Rush		
		• Della	•		• Koss			• Rybczynski		
son		• Dorsey			• Leitzel			• Scanlan		•
		• Dukes	•		• Linton			• Schloeder		•
berger		• Dulany			• Lord		•	• Schneider		•
		• Eckenrode			• Macdonald			• Sherbow		
		• Finch			• Malkus			• Sickles	•	
nn		• Fornos			• Marion		•	• Siewierski		
ey		• Fox	•		• Mason			• Singer		
tt	•	• Frederick			• Maurer		•	• Smith, J. H.		
		• Freedlander		•	• Mentzer		•	• Smith, M. H.		
eu	•	• Gallagher			• Miller, B.		•	• Sollins		•
	•	• Gilchrist			• Miller, E. G.			• Sosnowski		
	•	• Gill		•	• Mitchell		•	• Soul		
	•	• Gleason	•		• Morgan			• Stern		
	•	• Grant			• Moser			• Storm		
	•	• Groh			• Mosner			• Sybert		
	•	• Grumbacher			• Mudd			• Taylor, H. E.		•
haw	•	• Gullett			• Murphy			• Taylor, L.		•
	•	• Hanson		•	• Murray, D. S.		•	• Ulrich		•
tte		• Hardwicke			• Murray, E. C.			• Vecera		
ss	•	• Hargrove		•	• Needle		•	• Wagandt		•
ng		• Harkness			• Neilson			• Webb		
		• Harris		•	• Neumann			• Webster		
		• Henderson		•	• O'Connor		•	• Weidemeyer		
ell		• Hickman			• Pascal			• Wheatley		
ch		• Hopkins			• Peniman			• White		•
sh		• Hostetter			• Peters			• Willis		
e		• Hutchinson			• Powers			• Willoner		•
lt	•	• Jett		•	• Price			• Winslow		•
c		• Johnson			• Pullen					
be	•	• Kahl			• Raley					

N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200			JAN.
0	0	1000	100	3
1	1	2000	200	1
2	2	3000	300	2
3	3	4000	400	3
4	4		500	4
5	5	RESO.	600	5
6	6	2-R.	700	6
7	7	3-R.	800	7
8	8	QUO.	900	8
9	9	MOT.	000	9
				DEC.

MARYLAND & RARE BOOK ROOM
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COLLEGE PARK, MD.

Constitutional Convention

AMENDMENT NO. 9

~~To Amendment No. _____~~

To Committee Recommendation No. LB 1

BY DELEGATE ~~JAMES CLARK~~ Sherbow

1 On pages 1 and 2 of Committee Recommendation
2 No. LB 1 strike all of Section 3.04.
3 Composition of the Legislature and insert in
4 lieu thereof the following section:

5
6 Section 3.04. Composition of the
7 Legislature
8

9 The number of members of each house of the
10 Legislature shall be as prescribed by law, but
11 the number of votes in the House of Delegates
12 shall not exceed one hundred five and the
13 number of members of the Senate shall not
14 exceed thirty-five. (Each delegate shall repre-
15 sent one delegate district and each senator shall
16 represent one senate district.)
17

18 Each senator shall have one vote in the
19 Senate. Each delegate shall have one vote in
20 the House of Delegates, except delegates from
21 those counties which are so insufficient in
22 population that they are not entitled to elect
23 at least one delegate completely from within
24 the boundaries of the county. In only these
25 insufficient population counties, one delegate
26 shall be elected from the entire county casting
27 a percentage vote weighted in accordance with
28 the population of the county. If any county
29 entitled to more than one delegate is completely
30 surrounded by counties so insufficient in popu-
31 lation that all their delegates cast a percen-
32 tage vote, that county shall be entitled to its
33 full number of delegates with one vote plus
34 one delegate casting a percentage vote.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend No 9
to LB-1

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ent	•	Claggett	•		Key	•		Robey, F. C.	•	
e		• Clarke, E. J.			• Kiefer			• Robie, K. L.		
J.		Cleveland	•		Kirkland	•		Rollins	•	
	•	Dabrowski	•		Kozer	•		Rosenstock	•	
enson		Darby	•		Kosakowski	•		• Rush		
is		Della	•		Koss	•		Rybczynski	•	
son	•	Dorsey	•		Leitzel	•		Scanlan	•	
	•	Dukes	•		• Linton			Schloeder	•	
erger	•	Dulany	•		Lord	•		Schneider	•	
d	•	Eckenrode	•		Macdonald	•		Sherbow	•	
k	•	Finch	•		Malkus	•		Sickles	•	
rann		Fornos	•		Marion	•		• Siewierski		
ley		Fox	•		Mason	•		Singer	•	
	•	• Frederick			Maurer	•		Smith, J. H.	•	
tt	•	Freedlander	•		Mentzer	•		• Smith, M. H.		
•		Gallagher	•		Miller, B.	•		Sollins	•	
eu	•	• Gilchrist			Miller, E. T.	•		Sosnowski	•	
n	•	Gill	•		Mitchell	•		Soul	•	
h	•	• Gleason			Morgan	•		Stern	•	
d	•	• Grant			Moser	•		Storm	•	
e		• Groh			Mosner	•		Sybert	•	
li	•	Grunbacher	•		• Mudd			Taylor, H. E.	•	
shaw	•	Gullett	•		• Murphy			Taylor, L.	•	
sh	•	Hanson	•		Murray, D. S.	•		Ulrich	•	
otte	•	Hardwicke	•		Murray, E. C.	•		• Vecera		
ss		Hargrove	•		Needle	•		Wagandt	•	
hng	•	• Harkness			Neilson	•		Webb	•	
zl	•	Harris	•		Neumann	•		Webster	•	
rs	•	Henderson	•		O'Conor	•		Weidemeyer	•	
cell	•	• Hickman			Pascal	•		• Wheatley		
en	•	• Hopkins			Penniman	•		White	•	
n	•	• Hostetter			Peters	•		Willis	•	
ic	•	• Hutchinson			Powers	•		Willoner	•	
pot	•	Jett	•		Price	•		Winslow	•	
l		Johnson	•		Pullen	•				
ce	•	Kahl	•		Raley	•				

N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200			JAN.
0	0	1000	10	1
1	1	2000	20	2
2	2	3000	30	3
3	3	4000	40	4
4	4		50	5
5	5	RESO.	60	6
6	6	2-R.	70	7
7	7	3-R.	80	8
8	8	QUO.	90	9
9	9	MOT.	00	0

Constitutional Convention

AMENDMENT NO. 10

~~TO XXXXXXXXXXXXXXXXXXXX~~
~~To Amendment No.~~

To Committee Recommendation No. LB-1

BY DELEGATE WEIDEMEYER

1 On page 1 line 24 of Committee Recommenda-
2 tion No. LB-1 strike out the words "one
3 hundred five" and insert in lieu thereof
4 the words "one hundred twenty"; and

5
6 On page 2 lines 1 and 2 strike out the
7 words "one-third the number of delegates"
8 and insert in lieu thereof the following:

9
10 "fifty-two casting one hundred seventy-three
11 votes. Each county shall be entitled to
12 at least one senator casting one vote and
13 each senator's vote weighted according to
14 population with no one senator casting more
15 than five votes subject to change in number
16 of senators and number of votes to be cast
17 per senator as population changes occur
18 and as the General Assembly may provide".
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CONSTITUTIONAL CONVENTION OF MARYLAND

1967

ROLL CALL

Amend 100 10

to LB-1

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ent	•	Clagett	•	Key	•	Robey, F. C.	•			
J.	•	Clarke, E. J.	•	Kiefer	•	Robie, K. L.	•			
son	•	Cleveland	•	Kirkland	•	Rollins	•			
s	•	Dabrowski	•	Koger	•	Rosenstock	•			
son	•	Darby	•	Kosakowski	•	Rush	•			
son	•	Della	•	Koss	•	Rybczynski	•			
r	•	Dorsey	•	Leitzel	•	Scanlan	•			
erger	•	Dukes	•	Linton	•	Schloeder	•			
k	•	Dulany	•	Lord	•	Schneider	•			
ann	•	Eckenrode	•	Macdonald	•	Sherbow	•			
ley	•	Finch	•	Malkus	•	Sickles	•			
tt	•	Fornos	•	Marion	•	Siewierski	•			
•	•	Fox	•	Mason	•	Singer	•			
au	•	Frederick	•	Maurer	•	Smith, J. H.	•			
n	•	Freedlander	•	Mentzer	•	Smith, M. H.	•			
•	•	Gallagher	•	Miller, B.	•	Sollins	•			
•	•	Gilchrist	•	Miller, E. T.	•	Sosnowski	•			
•	•	Gill	•	Mitchell	•	Soul	•			
•	•	Gleason	•	Morgan	•	Stern	•			
•	•	Grant	•	Moser	•	Storm	•			
•	•	Groh	•	Mosner	•	Sybert	•			
•	•	Grumbacher	•	Mudd	•	Taylor, H. E.	•			
•	•	Gullett	•	Murphy	•	Taylor, L.	•			
•	•	Hanson	•	Murray, D. S.	•	Ulrich	•			
•	•	Hardwicke	•	Murray, E. C.	•	Vecera	•			
•	•	Hargrove	•	Needle	•	Wagandt	•			
•	•	Harkness	•	Neilson	•	Webb	•			
•	•	Harris	•	Neumann	•	Webster	•			
•	•	Henderson	•	O'Conor	•	Weidemeyer	•			
•	•	Hickman	•	Pascal	•	Wheatley	•			
•	•	Hopkins	•	Penniman	•	White	•			
•	•	Hostetter	•	Peters	•	Willis	•			
•	•	Hutchinson	•	Powers	•	Willoner	•			
•	•	Jett	•	Price	•	Winslow	•			
•	•	Johnson	•	Pullen	•					
•	•	Kahl	•	Raley	•					

S	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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0	0 0	0 0	1000 100	10 1	2
1	1 1	1 1	2000 200	20 2	3
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3	3 3	3 3	4000 400	40 4	2
4	4 4	4 4	500 50	50 5	3
5	5 5	5 5	RESO. 600	60 6	4
6	6 6	6 6	2-R. 700	70 7	5
7	7 7	7 7	3-R. 800	80 8	6
8	8 8	8 8	QUO. 900	90 9	SEPT. 7
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					NOV. 9
					DEC. 0

Constitutional Convention

AMENDMENT NO. 11

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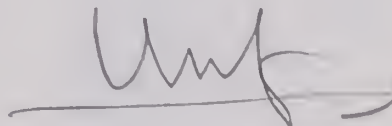
To Committee Recommendation No. LB-1

BY DELEGATES CASE and LORD

1 On page 2 in Section 3.04 Composition of the
2 Legislature, strike out all of the last two
3 sentences in lines 2 through 6 and insert in
4 lieu thereof the words:

5
6 "One senator shall represent each senatorial
7 district. At least one delegate, but not more
8 than three delegates, shall represent each
9 delegate district."

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N-83

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend No 11
to LB-1

I-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		Claggett			Key			Robey, F. C.		
		Clarke, E. J.			Kiefer			Robie, K. L.		
		Cleveland			Kirkland			Rollins		
		Dabrowski			Koger			Rosenstock		
		Darby			Kosakowski			Rush		
		Della			Koss			Rybczynski		
		Dorsey			Leitzel			Scanlan		
		Dukes			Linton			Schloeder		
		Dulany			Lord			Schneider		
		Eckenrode			Macdonald			Sherbow		
		Finch			Malkus			Sickles		
		Fornos			Marion			Siewierski		
		Fox			Mason			Singer		
		Frederick			Maurer			Smith, J. H.		
		Freedlander			Mentzer			Smith, M. H.		
		Gallagher			Miller, B.			Sollins		
		Gilchrist			Miller, E. T.			Sosnowski		
		Gill			Mitchell			Soul		
		Gleason			Morgan			Stern		
		Grant			Moser			Storm		
		Groh			Mosner			Sybert		
		Grumbacher			Mudd			Taylor, H. E.		
		Gullett			Murphy			Taylor, L.		
		Hanson			Murray, D. S.			Ulrich		
		Hardwicke			Murray, E. C.			Vecera		
		Hargrove			Needle			Wagandt		
		Harkness			Neilson			Webb		
		Harris			Neumann			Webster		
		Henderson			O'Connor			Weidemeyer		
		Hickman			Pascal			Wheatley		
		Hopkins			Penniman			White		
		Hostetter			Peters			Willis		
		Hutchinson			Powers			Willoner		
		Jett			Price			Winslow		
		Johnson			Pullen					
		Kahl			Raley					

N-V	NAYS
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2000 200	20 2
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4000 400	40 4
	50 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
MOT. 000	00 0

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JAN.	2
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SEPT.	7
OCT.	8
NOV.	9
DEC.	0

Constitutional Convention

AMENDMENT NO. 1

~~XXXXXXXXXXXXXXXXXXXX~~
To Amendment No. ~~XXXXXX~~

To Committee Recommendation No. LB-1

BY DELEGATE RYBCZYNSKI

1 On page 2 of Section 3.04 Composition of
2 the Legislature strike out all of lines
3 2 through 6 and insert in lieu thereof the
4 following:
5
6 "delegates. The General Assembly shall
7 divide the State into legislative districts
8 for the election of senators and delegates.
9 A legislative district shall consist of
10 (a) one senate district and three whole
11 delegate districts, or (b) one senate district
12 and one delegate district represented by
13 three delegates, in accordance with the
14 law."
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 1 to
Amend 11 to LB-

S	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President			• Claiborne			Key			Robey, F. C.		
Ases			Clarke, E. J.			Kiefer			Robie, K. L.		
McC, J.			Cleveland			Kirkland			• Rollins		
Ases			• Dabrowski			Koger			• Rosenstock		
Samson			• Darby			• Kosakowski			• Rush		
Mcins			• Della			Koss			• Rybczynski		
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Ad			• Eckenrode			• Macdonald			• Sherbow		
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Echley			• Fox			• Mason			Singer		
Ell			• Frederick			Maurer			Smith, J. H.		
Enett			Freedlander			Mentzer			Smith, M. H.		
For			Gallagher			Miller, B.			Sollins		
Keau			• Gilchrist			Miller, E. T.			• Sosnowski		
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Cace			Grant			• Moser			Storm		
Cer			Groh			Mosner			Sybert		
Cles			Grumbacher			Mudd			Taylor, H. E.		
Cshaw			Gullett			• Murphy			Taylor, L.		
erson			Hanson			Murray, D. S.			Ulrich		
idette			Hardwicke			• Murray, E. C.			• Vecera		
igess			Hargrove			Needle			Wagandt		
ihong			Harkness			Neilson			• Webb		
izell			Harris			Neumann			• Webster		
ines			Henderson			O'Conor			• Weidemeyer		
idwell			• Hickman			Pascal			• Wheatley		
idin			Hopkins			Penniman			White		
erson			• Hostetter			• Peters			Willis		
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one			• Kahl			Raley					

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Constitutional Convention

AMENDMENT NO. 12

~~TO AMENDMENT NO. _____~~

To Committee Recommendation No. LB-1

BY DELEGATE GALLAGHER, CHAIRMAN, COMMITTEE
ON THE LEGISLATIVE BRANCH

1 On page 2 Section 3.04 Composition of the
2 Legislature line 6, after the period insert
3 the following:

4
5 "Any county which is not entitled to at least
6 one delegate elected completely within the
7 boundaries of the county shall be entitled
8 to a non-voting legislative agent in the house
9 of delegates."
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Withdrawn

Constitutional Convention

AMENDMENT NO. 13

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To Committee Recommendation No. LB-1

BY DELEGATE RITTER, GRANT

1 On page 2 Section 3.04 Composition of the
2 Legislature line 6 after the period insert
3 the following:
4 "The General Assembly shall provide by law
5 for each county which does not have a dele-
6 gate residing within its boundaries to be
7 represented in the house of delegates by a
8 legislative representative. Such legislative
9 representative shall be entitled to all the
10 rights and privileges of a delegate except
11 the right to vote."
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 13
to LB-1

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
dent	•	• Claggett			Key		•	Robey, F. C.		•
s		• Clarke, E. J.			Kiefer		•	• Robie, K. L.		
, J.	•	• Cleveland			• Kirkland			Rollins	•	
s	•	Dabrowski		•	• Koger			• Rosenstock		
imson		Darby	•		Kosakowski			Rush	•	
ns		Della		•	Koss		•	• Rybczynski		
erson	•	• Dorsey			Leitzel		•	Scanlan		•
or	•	Dukes	•		• Linton			Schloeder		•
berger	•	Dulany		•	• Lord			• Schneider		
		• Eckenrode			Macdonald		•	• Sherbow		
ck	•	• Finch			Malkus	•		Sickles		•
nann		Fornos		•	Marion		•	Siewierski		•
hley		Fox		•	Mason		•	Singer		•
		Frederick		•	Maurer		•	• Smith, J. H.		
ett	•	Freedlander		•	Mentzer		•	• Smith, M. H.		
		• Gallagher			Miller, B.		•	• Sollins		
au	•	• Gilchrist			Miller, E. T.			• Sosnowski		
m	•	Gill		•	Mitchell		•	• Soul		
e	•	• Gleason			• Morgan			Stern		•
e	•	• Grant			Moser	•		• Storm		
r		• Groh			• Mosner			Sybert	•	
es		Grumbacher		•	• Mudd			Taylor, H. E.		•
shaw	•	Gullett	•		Murphy	•		• Taylor, L.		
on	•	Hanson		•	Murray, D. S.		•	Ulrich		•
ette		Hardwicke		•	• Murray, E. C.			Vecera	•	
ess		Hargrove		•	Needle		•	Wagandt	•	
ong		• Harkness			Neilson		•	• Webb		
all		Harris		•	Neumann		•	• Webster		
es		Henderson		•	O'Conor		•	• Weidemeyer		
well		• Hickman			• Pascal			• Wheatley		
lin	•	• Hopkins			• Penniman			White		•
on	•	• Hostetter			Peters		•	Willis		•
	•	• Hutchinson			Powers		•	Willoner		•
oot	•	Jett		•	Price	•		Winslow	•	
l		• Johnson			Pullen		•			
ne	•	Kahl	•		• Raley					

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7	7	7	3-R.	800	7
8	8	8	QUO.	900	8
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					DEC. 0



Constitutional Convention

AMENDMENT NO. 14

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-1

BY DELEGATE BYRNES
B

1 On page 2 in Section 3.04 Composition of
2 the Legislature of Committee Recommendation
3 No. LB-1, after the period in line 6 add
4 the following:

5
6 "To the extent practicable, senate district
7 boundaries shall cross county or Baltimore
8 City political boundaries so as to contain
9 delegate districts from different counties.

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Withdrawn

Constitutional Convention

AMENDMENT NO. 15

TO ACCOMPANY MINORITY
REPORT LB 1 (E)

To Amendment No. 15

To Committee Recommendation No. LB 1

BY DELEGATE S HOPKINS, SOLLINS, HANSON, CLARK

1 On page 2 of Committee Recommendation No. LB 1
2 strike all of Section 3.05. Qualifications of
3 Legislators and insert in lieu thereof the
4 following section:

5
6 Section 3.05. Qualifications of Legislators

7
8 To be eligible as a senator or delegate, a
9 person shall be a qualified voter of the State
10 of Maryland at the time of his election or
11 appointment and shall have been a resident of
12 the State for at least two years immediately
13 preceding his election or appointment. To be
14 eligible as a senator, a person shall have
15 attained the age of twenty-five years, and,
16 to be eligible as a delegate, he shall have
17 attained the age of twenty-one years, at the
18 time of his election or appointment.

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

*Amend 15-
to LB-1*

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ident	•	Clagett		•	Key		•	Robey, F. C.		•
es	•	Clarke, E. J.		•	• Kiefer			Robie, K. L.		•
k, J.		• Cleveland			Kirkland		•	Rollins	•	
es		• Dabrowski			Kozer	•		Rosenstock		•
amson	•	• Darby			Kosakowski		•	Rush		•
ins	•	Della		•	Koss		•	Rybczynski		•
lerson	•	Dorsey		•	Leitzel		•	Scanlan		•
hor	•	Dukes		•	• Linton			• Schloeder		•
nberger	•	Dulany		•	Lord		•	Schneider		•
d		Eckenrode		•	• Macdonald			Sherbow		•
rick		Finch		•	Malkus		•	• Sickles		
mann	•	Fornos		•	• Marion			Siewierski		•
chley	•	Fox		•	Mason		•	• Singer		
ll		Frederick		•	Maurer		•	Smith, J. H.		•
nett		Freedlander		•	• Mentzer			• Smith, M. H.		
r	•	Gallagher		•	Miller, B.		•	• Sollins		
eau		Gilchrist		•	Miller, E. T.			• Sosnowski		
om	•	Gill		•	Mitchell		•	• Soul		
he		Gleason		•	• Morgan			Stern		•
ce	•	Grant		•	Moser		•	• Storm		
er	•	Groh		•	Mosner		•	Sybert	•	
les	•	Grumbacher			Mudd		•	Taylor, H. E.		•
dshaw	•	Gullett	•		• Murphy			Taylor, L.		•
son		• Hanson			Murray, D. S.		•	Ulrich		•
Hette		• Hardwicke			Murray, E. C.		•	• Vecera		
gess	•	Hargrove		•	• Needle			Wagandt		•
hong	•	Harkness		•	Neilson		•	• Webb		
zell	•	• Harris			Neumann		•	Webster		•
nes	•	Henderson		•	O'Connor		•	Weidemeyer		•
dwell	•	Hickman		•	Pascal		•	Wheatley		•
din		• Hopkins			Penniman		•	White		•
son	•	Hostetter		•	Peters		•	Willis		•
se		Hutchinson		•	Powers		•	• Willoner		
abot	•	• Jett			Price		•	• Winslow		
ld	•	Johnson		•	• Pullen					
one	•	Kahl		•	Raley		•			

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Constitutional Convention

AMENDMENT NO. 16

~~XXXXXXXXXXXXXXXXXXXX~~
~~To Amendment No. XXXXXX~~

To Committee Recommendation No. _____

BY DELEGATE GALLAGHER, FRANCIS X.
CHAIRMAN, COMMITTEE ON LEGISLATIVE
BRANCH

1 On page 2 line 28 of Committee Recommendation
2 LB-1 in between the words "redistricting." and
3 "To" add the following sentence:

4
5 No person shall seek election to or be
6 appointed to more than one seat in the General
7 Assembly at a time.

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

*Amend 16
to LB-1*

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett		•	Key	•		• Robey, F. C.		
Tawes		•	Clarke, E. J.		•	Kiefer	•		• Robie, K. L.		•
Clark, J.		•	Cleveland		•	Kirkland		•	• Rollins		•
James		•	• Dabrowski			Kozer	•		• Rosenstock		
Abramson		•	Darby		•	• Kosakowski			• Rush		
Adkins		•	Della		•	• Koss			• Rybczynski		
Anderson		•	Dorsey		•	Leitzel		•	• Scanlan		•
Armor		•	Dukes	•		Linton		•	• Schloeder		•
Bamberger			• Dulany			• Lord			• Schneider		•
Bard			• Eckenrode			• Macdonald			• Sherbow		•
Barrick		•	Finch		•	• Malkus			• Sickles		•
Baumann	•		Fornos		•	Marion		•	• Siewierski		
Beachley		•	Fox		•	Mason		•	• Singer		•
Beall	•		Frederick		•	• Maurer			• Smith, J. H.		•
Bennett		•	• Freedlander			• Mentzer			• Smith, M. H.		
Blair		•	• Gallagher			• Miller, B.			• Sollins		•
Boileau	•		Gilchrist		•	• Miller, E. P.			• Sosnowski		•
Borom	•		Gill		•	Mitchell		•	• Soul		•
Bothe		•	• Gleason			Morgan		•	• Stern		•
Boyce	•		• Grant			Moser		•	• Storm		•
Boyer		•	• Groh			Mosner		•	• Sybert		
Boyles			• Grumbacher			• Mudd			• Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy		•	• Taylor, L.		•
Bryson		•	Hanson		•	Murray, D. S.		•	• Ulrich		•
Burdette		•	Hardwicke		•	Murray, E. C.		•	• Vecera		•
Burgess			Hargrove		•	• Needle			• Wagandt		•
Bushong		•	• Harkness			Neilson		•	• Webb		•
Buzzell			• Harris			• Neumann			• Webster		•
Byrnes			Henderson		•	O'Connor		•	• Weidemeyer		•
Caldwell	•		• Hickman			Pascal		•	• Wheatley		•
Cardin		•	• Hopkins			• Penniman			• White	•	
Carson			Hostetter		•	• Peters			• Willis		•
Case		•	Hutchinson		•	• Powers			• Willoner		•
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Child			• Johnson			Pullen		•			
Cicone			• Kahl			Raley		•			

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Constitutional Convention

AMENDMENT NO. 17

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To Committee Recommendation No. LB-1

BY DELEGATE CHABOT

1 On page 2 in Section 3.06 Election of
2 Legislators of Committee Recommendation No.
3 LB-1, strike out lines 40, 41 and 42 and
4 insert in lieu thereof the following:

5
6 "to serve for a term beginning at noon
7 on the second Wednesday of December fol-
8 lowing his election and ending at noon on
9 the second Wednesday of December in the
10 fourth year thereafter."

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Constitutional Convention

AMENDMENT NO. 18

TO ACCOMPANY MINORITY
REPORT LB-1 (F)

~~XXXXXXXXXXXXXX~~
To Amendment No. _____

To Committee Recommendation No. LB-1

BY DELEGATES BARD; GLEASON, MILLER, SOLLINS,
HANSON

1 On pages 2 and 3 of Committee Recommendation
2 No. LB 1 strike all of Section 3.12. Legis-
3 lative Sessions and insert in lieu thereof
4 the following section:

5
6 Section 3.12. Legislative Sessions

7
8 The General Assembly shall meet in regular
9 annual sessions convening on the third Wednes-
10 day of January of each year unless otherwise
11 prescribed by law. / The governor may convene a
12 special session of the General Assembly at
13 any time and must convene a special session
14 upon the written request of three-fifths of
15 all the members of each house.

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 18
to LB-1

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	• Clagett			• Key			• Robey, F. C.		
Tawes		•	Clarke, E. J.		•	Kiefer		•	• Robie, K. L.		
Clark, J.		•	Cleveland		•	Kirkland	•		Rollins		•
James		•	• Dabrowski			• Koger			Rosenstock		•
• Abramson			Darby		•	Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss		•	Rybczynski		•
Anderson		•	Dorsey		•	Leitzel		•	• Scanlan		
Armor		•	Dukes		•	Linton		•	• Schloeder		
• Bamberger			Dulany		•	• Lord			Schneider		•
• Bard			Eckenrode		•	• Macdonald			Sherbow		•
Barrick	•		Finch		•	Malkus		•	• Sickles		
Baumann		•	Fornos		•	• Marion			Siewierski		•
Beachley		•	Fox		•	Mason		•	• Singer		
Beall	•		Frederick		•	Maurer		•	Smith, J. H.		•
Bennett		•	Freedlander		•	Mentzer		•	Smith, M. H.		•
Blair		•	Gallagher		•	• Miller, B.			• Sollins		
Boileau		•	Gilchrist		•	Miller, E. T.			• Sosnowski		
Borom		•	Gill		•	• Mitchell			Soul		•
Bothe		•	• Gleason			• Morgan			Stern		•
Boyce		•	• Grant			Moser		•	• Storm		
Boyer		•	Groh		•	Mosner	•		Sybert		•
Boyles	•		• Grumbacher			Mudd		•	Taylor, H. E.		•
Bradshaw		•	Gullett		•	Murphy		•	• Taylor, L.		
• Bryson			• Hanson			Murray, D. S.		•	Ulrich		•
Burdette		•	• Hardwicke			Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove		•	• Needle			Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb		•
Buzzell		•	• Harris			Neumann		•	Webster		•
• Byrnes			Henderson		•	O'Connor		•	Weidemeyer		•
Caldwell	•		Hickman		•	• Pascal			• Wheatley		
Cardin		•	Hopkins		•	Penniman		•	• White		
• Carson			Hostetter		•	Peters		•	Willis		•
Case		•	Hutchinson		•	Powers		•	• Willoner		
• Chabot			• Jett			Price		•	• Winslow		
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS
100-200	100-200	100-200
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• 4 4	4 4	4 4
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6 6	6 6	6 6
7 7	7 7 •	7 7
8 8	8 8	8 8
• 9 9	9 9	• 9 9

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3-R. 800	80 8
QUO. 900	90 9
MOT. 000	00 0

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SEPT. 7
OCT. 8
• NOV. 9
DEC. 0 •

Constitutional Convention

AMENDMENT NO. 19

To Amendment No. _____

To Committee Recommendation No. LB-1

BY DELEGATES CARSON, CARDIN, JAMES, NEUMANN

- 1 On page 3 in Section 3.12 Legislative Session,
2 after the period in line 9 add the following:
3 "The General Assembly may provide by law for
4 an increase or decrease in the ninety-day ses-
5 sion limit, but such law shall not apply to
6 the General Assembly which enacted it."
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A 22

N 99

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 19
to LB-1

N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
esident	•	• Clagett			Key		•	Robey, F. C.		•
wes	•	Clarke, E. J.		•	Kiefer	•		Robie, K. L.		•
ark, J.	•	Cleveland		•	Kirkland	•		• Rollins		
mes		Dabrowski			Koqer		•	Rosenstock		•
ramson	•	Darby		•	Kosakowski		•	Rush		•
dkins	•	Della		•	Koss		•	• Rybczynski		
nderson	•	Dorsey		•	Leitzel		•	Scanlan		•
rmor	•	Dukes		•	Linton		•	Schloeder		•
umberger	•	Dulany		•	Lord	•		Schneider		•
ard	•	Eckenrode		•	Macdonald		•	Sherbow		•
arrick	•	Finch	•		Malkus	•		Sickles		•
umann	•	Fornos		•	Marion		•	Siewierski	•	
achley	•	Fox		•	Mason		•	Singer		•
call	•	Frederick		•	• Maurer			Smith, J. H.		•
ennett	•	Freedlander		•	Mentzer		•	Smith, M. H.		•
air	•	Gallagher		•	• Miller, B.			Sollins		•
pileau	•	Gilchrist		•	Miller, E. T.			Sosnowski		•
rom	•	Gill		•	Mitchell	•		Soul		•
othe	•	Gleason		•	• Morgan			Stern		•
oyce	•	• Grant			• Moser			Storm		•
oyer	•	Groh		•	Mosner	•		Sybert	•	
oyles	•	• Grumbacher			Mudd		•	Taylor, H. E.		•
adshaw	•	• Gullett			Murphy		•	Taylor, L.	•	
yson	•	Hanson		•	Murray, D. S.		•	Ulrich		•
urdette	•	• Hardwicke			Murray, E. C.		•	Vecera		•
urgess	•	Hargrove		•	• Needle			Wagandt	•	
ushong	•	Harkness		•	Neilson		•	Webb		•
uzzell	•	Harris		•	• Neumann			Webster		•
ynes	•	Henderson		•	O'Connor		•	Weidemeyer		•
aldwell	•	Hickman		•	• Pascal			• Wheatley		
ardin	•	Hopkins		•	Penniman		•	White		•
arson	•	Hostetter		•	Peters		•	Willis		•
ase	•	• Hutchinson			Powers		•	Willoner		•
habot	•	• Jett			Price		•	Winslow		•
child	•	Johnson	•		Pullen	•				
icone	•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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2 2	2 2	2 2	3000 300	30 3	1
3 3	3 3	3 3	4000 400	40 4	2
4 4	4 4	4 4		50 5	3
5 5	5 5	5 5	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
7 7	7 7	7 7	3-R. 800	80 8	6
8 8	8 8	8 8	QUO. 900	90 9	SEPT. 7
9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
					NOV. 9
					DEC. 0

Constitutional Convention

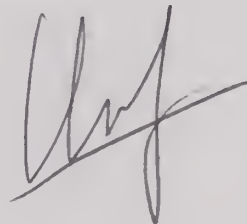
AMENDMENT NO. 20

~~Amendment No.~~ _____

To Committee Recommendation No. LB-1

BY DELEGATE GLEASON

On page 3 Section 3.12 Legislative Sessions
of Committee Recommendation No. LB-1 follow-
ing the period in line 14 strike out the last
sentence.



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Constitutional Convention

AMENDMENT NO. _____

~~TO COMMITTEE NO. XXXXXX~~

To Committee Recommendation No. LB-1

BY DELEGATE BURDETTE

- 1 On page 3 line 6 of Committee Recommendation
- 2 No. LB-1, after the word "days", strike out
- 3 the comma and the words "and that by the
- 4 affirm-" and strike out all of lines 7, 8
- 5 and 9 except the period.
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MAINTAINED IN THE ROOM
OF THE CONSTITUTIONAL CONVENTION
COLLEGE PARK, MD.

CONSTITUTIONAL CONVENTION OF MARYLAND

INTRA-CONVENTION MEMORANDUM

DATE: 21 November 1967
TO: H. Vernon Eney, President
FROM: Mr. Ira J. Wagonheim, Chief Clerk
SUBJECT: Delegate Proposals covered by committee recommendation
returned to Clerk's Office.

The Committee on LEGISLATIVE BRANCH has returned the
following proposals with the report that they are covered by
Committee Recommendation L.B. 2:

- 46
- 65
- 104
- 109
- 120
- 163
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- 402
- 403
- 433
- 438
- 443

for second readings
see
SKD 14 + 16

Ira J. Wagonheim

Ira J. Wagonheim
Chief Clerk

COMMITTEE ON CALENDAR AND AGENDA

Debate Schedule No. 7

For Debate of Committee Recommendation No. LB-2

There will be no general debate, and after presentation of the Committee report, the Committee Recommendation LB-2 will be open to debate and amendment section-by-section, no speech exceeding three (3) minutes, as follows:

Sec. 3.02	<u>Legislative Districts</u>	} to be considered together
Sec. 3.03	<u>Redistricting Commission</u>	
Sec. 3.03a	<u>Redistricting Procedure</u>	

Sec. 3.07 Vacancies

Sec. 3.09 Appointment of Legislators to Other Offices

Sec. 3.10 Immunity of Legislators

Sec. 3.13 Organization of the General Assembly

Sec. 3.14 Quorum

Sec. 3.15 Form of Laws

Sec. 3.16 Consideration of Bills

Sec. 3.17 Journal and Passage of Bills

Sec. 3.18 Conflict of Interest

Minority Report No. LB-2(A) by Del. Scanlan (to delete the section)

Controlled:

Del. Scanlan - 10 minutes

Del. Gallagher - 10 minutes

Uncontrolled: 10 minutes

Sec. 3.01a State Capitol

Sec. 3.17a Special Legislation

Sec. 3.17b Effective Date of Laws

The three minute speech limitation does not apply to time consumed by the Committee Chairman or the spokesman for the minority in answering questions.

Presentation by sponsor of amendments limited to 10 minutes including time yielded in answering questions.

Note: Speeches alternate between sides

Crisfield

Somerset County

Constitutional Convention

COMMITTEE RECOMMENDATION NO. LB-2

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,
Francis X. Gallagher, Chairman

November 17 , 1967.

Presented, read, and referred to the Committee of the Whole.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Recommendation covers Delegate Proposals Nos. 46, 65, 104, 109, 120, 163, 167, 200, 256, 258, 279, 280, 283, 284, 306, 308, 309, 313, 317, 330, 342, 343, 344, 347, 367, 368, 400, 402, 403, 433, 438, and 443.

TITLE

1 A RECOMMENDATION that portions of Article III
2 of the new Constitution dealing with the Legis-
3 lative Branch provide for substantially equal
4 legislative districts, create an independent
5 commission to recommend redistricting plans to
6 the General Assembly, provide for the filling
7 of vacancies in the General Assembly, and
8 establish legislative procedure, to read as
9 follows:

10
11 Section 3.02. Legislative Districts

12
13 The State shall be divided by law into
14 districts for the election of members of the
15 Senate and into districts for the election of
16 members of the house of Delegates. Each dis-
17 trict shall consist of adjoining territory
18 and be compact in form. Natural boundaries
19 and the boundaries of political subdivisions
20 shall be followed insofar as practicable.
21 The number of persons represented by each
22 Senator shall be substantially equal, and
23 the number of persons represented by each
24 delegate shall be substantially equal. The

1 boundaries of districts shall be re-established
2 consistent with these standards prior to the
3 statewide general election in 1970 and every
4 twentieth year thereafter, and prior to the
5 statewide general election in 1982 and every
6 twentieth year thereafter.

7
8 Section 3.03. Redistricting Commission
9

10 Six months before the first day of a reg-
11 ular session of the General Assembly in any
12 year in which redistricting is to be effective,
13 the presiding officer and the minority leader
14 of each house of the General Assembly shall
15 each appoint two persons to a commission on
16 legislative redistricting. The Governor shall
17 appoint an additional member who shall serve
18 as the chairman of the commission. No member
19 of the commission shall hold popularly elected
20 office in the state.

21
22 Section 3.03a. Redistricting Procedure
23

24 The commission on legislative redistricting
25 shall submit a redistricting plan to the Governor
26 who shall transmit the plan to the General Assem-
27 bly by the first day of the regular session in
28 any year in which redistricting is to be effective.
29 If any other plan has not been provided by law
30 within 50 days after the transmission of the
31 commission plan to the General Assembly, then
32 the commission plan shall become law. Upon
33 petition of any registered voter, the Court of
34 Appeals shall have original jurisdiction to
35 review the plan of redistricting which becomes
36 law. If a plan enacted by the General Assembly
37 is found by the Court of Appeals to be unlawful,
38 then the commission plan shall become law. If
39 the Court of Appeals finds the commission plan
40 is unlawful, then the Court of Appeals shall
41 grant appropriate relief for the conduct of
42 the impending election.

43
44 Section 3.07. Vacancies
45

46 The method of filling a vacancy in the
47 General Assembly shall be as prescribed by law,
48 provided that the appointee to succeed a party
49 member shall be a member of the same party.
50 The person chosen to fill the vacancy shall

1 serve only until the next statewide general
2 election held more than ninety days after the
3 vacancy occurs, at which election any remaining
4 portion of the unexpired term shall be filled.

5
6 Section 3.09. Appointment of Legislators to
7 Other Offices.
8

9 No member of the General Assembly shall,
10 during the term of office for which he was
11 elected or appointed, be appointed to any
12 office which shall have been created, or the
13 compensation increased, by the General Assembly
14 during such term.

15
16 Section 3.10. Immunity of Legislators.
17

18 Words used by a member of the General
19 Assembly during any of its proceedings, including
20 the proceedings of any committees and subcommittees,
21 shall be absolutely privileged, and a member shall
22 not be liable therefor in any civil action or
23 criminal prosecution.

24
25 Section 3.13. Organization of General Assembly.
26

27 Each house shall be the judge of the qualifi-
28 cations and selection of its members, as prescribed
29 by this Constitution and the laws of this State.
30 Each house shall elect its own officers and determine
31 its rules of procedure, and may permit its committees
32 to meet between sessions of the General Assembly.
33 Each house, by the affirmative vote of a majority
34 of all its members present and voting, a quorum
35 being present, may compel the attendance and testi-
36 mony of witnesses and the production of records and
37 papers either before the house as a whole or before
38 any of its committees, provided that the rights and
39 the records and papers of all witnesses in such cases
40 shall have been protected by law. Each house may
41 punish a member for disorderly or disrespectful
42 behavior by the affirmative vote of a majority of
43 all its members present and voting, a quorum being
44 present. Each house may expel a member by the
45 affirmative vote of three-fifths of all its mem-
46 bers present and voting, a quorum being present.
47
48
49
50

1 Section 3.14. Quorum

2
3 A majority of all the members of each house
4 shall constitute a quorum for the transaction
5 of business in each house, but a smaller num-
6 ber may adjourn from day to day.

7
8 Section 3.15. Form of Laws.

9
10 The style of every law of this State shall
11 be "Be it enacted by the General Assembly of
12 Maryland;" and the General Assembly shall enact
13 no law except by bill. Every law enacted by
14 the General Assembly shall embrace only one
15 subject, which shall be described in its title.
16 No law nor section of law shall be revived or
17 amended by reference to its title or section only,
18 nor shall any law be construed by reason of its
19 title to grant powers or confer rights which are
20 not expressly contained in the body of the act.
21 It shall be the duty of the General Assembly in
22 amending any article or section of the code of
23 laws of this State to enact the article, section
24 or law as it would read when amended.

25
26 Section 3.16. Consideration of Bills

27
28 A bill may originate in either house of
29 the General Assembly and be altered, amended,
30 passed, or rejected by the other. Except during
31 the first four days of a special session, no
32 vote on final passage of a bill shall be taken
33 until the bill shall be prepared in final form.
34 No vote on final passage of a bill shall be
35 taken until the fifth calendar day after its
36 introduction in the house of origin and until
37 the second calendar day after it reaches the
38 second house, except upon the affirmative
39 vote of three-fifths of all the members pres-
40 ent and voting, a quorum being present, of
41 the house in which suspension is requested.
42 The General Assembly may provide by law that
43 bills shall be continued for two consecutive
44 regular sessions within a term of the General
45 Assembly.

1 Section 3.17. Journal and Passage of Bills

2
3 Each house of the General Assembly shall keep
4 a daily journal of its proceedings and a transcript
5 of its debates. The daily journal shall be pub-
6 lished as soon as practicable and the transcript
7 shall be available to the public. All final
8 committee votes on all bills in both houses shall
9 be entered by individual recorded vote in the
10 daily journal of the appropriate house. No bill
11 shall be enacted nor shall a resolution requiring
12 the action of both houses be adopted unless it is
13 passed in each house by a majority of all the
14 members of that house present and voting, a quorum
15 being present. A vote in joint session or by
16 either house on any bill or resolution shall be
17 taken only in public session. On final passage
18 of a bill, including a bill proposing a consti-
19 tutional amendment, or a resolution, the vote
20 cast by each member shall be recorded in the
21 journal of the house of which he is a member.
22

23 Section 3.18. Conflict of Interest

24
25 The General Assembly shall provide by law for
26 a code of ethics and for the regulation of con-
27 flicts of interest for all elected officials of
28 the State of Maryland.
29

30 Section 3.01a. State Capital.

31
32 Annapolis is the capital of the State and
33 the meeting place of the legislature.
34

35 Section 3.17a. Special Legislation

36
37 The General Assembly shall pass no special
38 law when a general law is applicable, and
39 whether a general law is applicable shall be
40 a matter for judicial determination.
41

42 Section 3.17b. Effective Date of Laws

43
44 No law passed by the General Assembly shall
45 take effect until the first day of July following
46 passage unless otherwise expressly declared
47 therein.
48
49
50

Constitutional Convention

COMMITTEE MEMORANDUM NO. LB 2

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,
FRANCIS X. GALLAGHER, CHAIRMAN

November 22 , 1967.

In support of Committee Recommendation No. LB-2

1 A Memorandum in support of Committee Recommen-
2 dation LB 2 that portions of Article III of
3 the new Constitution dealing with the Legis-
4 lative Branch provide for substantially equal
5 legislative districts, create an independent
6 commission to recommend redistricting plans to
7 the General Assembly, provide for the filling
8 of vacancies in the General Assembly, and esta-
9 blish legislative procedure, to read as follows:

10
11 Section 3.02. Legislative Districts

12
13 The State shall be divided by law into
14 districts for the election of members of the
15 Senate and into districts for the election of
16 members of the House of Delegates. Each dis-
17 trict shall consist of adjoining territory and
18 be compact in form. Natural boundaries and the
19 boundaries of political subdivisions shall be
20 followed insofar as practicable. The number of
21 persons represented by each Senator shall be
22 substantially equal, and the number of persons
23 represented by each delegate shall be substan-
24 tially equal. The boundaries of districts shall
25 be re-established consistent with these standards
26 prior to the statewide general election in 1970
27 and every twentieth year thereafter, and prior
28 to the statewide general election in 1982 and
29 every twentieth year thereafter.

30
31 Comment:

32
33
34

Section 3.02 has been designed by the

1 Committee on the Legislative Branch to implement
2 as effectively as possible the previous decisions
3 of the Constitutional Convention that the General
4 Assembly shall consist of 40 Senators and 120
5 Delegates elected from single member districts.
6 Section 3.02 achieves this goal in three ways:

- 7
8 1. It puts the ultimate responsibility for
9 drawing district lines firmly under the control
10 of the General Assembly.
- 11
12 2. It sets the most flexible standard judicially
13 possible for designing districts by requiring only
14 that district populations be "substantially equal."
- 15
16 3. It provides for re-districting to occur
17 prior to the general election in 1970, at which
18 time the new Constitutional limits on the size of
19 the General Assembly and the new Constitutional
20 requirement for single member districts can be
21 implemented by the present General Assembly.

22
23 The Committee on the Legislative Branch was
24 unanimous in its belief that the General Assembly
25 should have the ultimate authority where redis-
26 tricting is concerned. Although Section 3.03
27 below provides for a redistricting commission,
28 this commission is intended primarily to recommend
29 to the General Assembly rather than to make the
30 final redistricting decisions. The Committee
31 believed that redistricting is clearly a political
32 problem and thus should be left to the State's
33 most representative and democratic political
34 institution - the General Assembly.

35
36 In regard to the degree of arithmetic equality
37 in redistricted legislative districts, the Committee
38 on the Legislative Branch adopted the term "substan-
39 tially equal" because the United States Supreme
40 Court so far has not articulated any standard more
41 precise than "substantial equality." Using this
42 phrase will keep the State constitution in harmony
43 with whatever degree of mathematical rigidity the
44 United States Supreme Court adopts in the future.
45 It also leaves open the possibility that an
46 occasional district, more deviant than a fifteen
47 per cent standard, might be especially justified
48 in special circumstances. Such a special circum-
49 stance might be a county too insufficient in popu-
50 lation to rate one delegate anyway in order to
51 maintain the principle that every county should

1 have at least one delegate (for further examples
2 see possible redistricting plans in Appendix A
3 at the end of this report).

4
5 The Constitutional Convention Commission draft
6 uses the language "as nearly equal as practicable."
7 This language might be construed instead to mean
8 "as equal as possible." Any language that might
9 be construed as requiring districts to be "as nearly
10 equal as possible" should be avoided. The reason
11 is that perfect arithmetic equality is possible -
12 all the way down to percentage deviations of less
13 than one per cent. Under such a standard many
14 reasonable and "substantially equal" plans could
15 be challenged and upset merely by showing that a
16 further "tinker" could reduce the arithmetic devia-
17 tion by an additional percentage point or two. Such
18 nit-picking invalidations of carefully devised plans
19 have occurred in a number of states where lower courts
20 have used the "as nearly equal as possible" arithmetic
21 standard.

22
23 To avoid this possibility, the Committee recommends
24 that the phrase "substantially equal" be used instead
25 of "as nearly equal as practicable" in the new Consti-
26 tution.

27
28 It should be kept clearly in mind, however, that
29 the Committee on the Legislative Branch intends
30 "substantially equal" to mean that "the difference
31 between the populations of the largest and smallest
32 districts in the State shall not exceed fifteen per
33 cent of the mean population of all districts." The
34 Committee intends that differences greater than
35 fifteen per cent should be tolerated only in those
36 few rare and exceptional cases where natural boun-
37 daries or existing political subdivision lines make
38 variance from the normal fifteen per cent standard
39 reasonable.

40
41 In order to illustrate the flexibility in redis-
42 tricting which the phrase "substantially equal" will
43 permit, the Committee on the Legislative Branch has
44 prepared two possible redistricting plans based on
45 1970 population estimates. These redistricting plans
46 are included in Appendix A in the end of this report.

47
48 Section 3.02 also provides that redistricting will
49 occur in 1970 and every twenty years thereafter, and
50 in 1982 and every twenty years thereafter. The purpose

1 of this language is to guarantee that redistricting
2 will occur automatically an average of every ~~ten~~
3 years.

4
5 The Committee decided not to tie redistricting
6 to publication of the United States Census. The
7 reason for this is that the United States Congress
8 is currently considering major changes in the census
9 procedure, including a proposal for a census every
10 five years. The Committee decided it would be bad
11 practice to tie state redistricting to a Federal
12 procedure that would be subject to change in future
13 years.

14
15 Section 3.02 thus requires that the next redis-
16 tricting of the General Assembly occur in the spring
17 of 1970 prior to the publication of the 1970 census
18 of population. In order to make it possible for the
19 present General Assembly to redistrict at that time
20 using current data, the Committee on the Legislative
21 Branch has made preparatory arrangements with the
22 Maryland State Department of Planning for 1970
23 population estimates to be available to the General
24 Assembly by January 1st, 1970. These population
25 estimates will be on a census tract and political
26 subdivision basis, thus making "substantially equal"
27 redistricting as easy to achieve as when the actual
28 census figures are available. The Maryland State
29 Department of Planning has given verbal assurances
30 to the Committee on the Legislative Branch that
31 these population estimates will be so accurate that
32 a redistricting based on them will remain Constitu-
33 tionally justifiable for a minimum of ten years.

34
35 Section 3.03. Redistricting Commission

36
37 Six months before the first day of a regular
38 session of the General Assembly in any year in
39 which redistricting is to be effective, the presi-
40 ding officer and the minority leader of each house
41 of the General Assembly shall each appoint two
42 persons to a commission on legislative redistricting.
43 The Governor shall appoint an additional member who
44 shall serve as the chairman of the commission. No
45 member of the commission shall hold popularly
46 elected office in the state.

47
48 Comment:

49
50 Section 3.03 establishes the procedure for

1 naming a redistricting commission to recommend
2 redistricting plans to the General Assembly. The
3 Committee on the Legislative Branch attempted to
4 meet three goals in establishing the redistricting
5 commission:

6
7 1. The General Assembly should play the
8 primary role in naming the commission.

9
10 2. The two largest political parties should
11 be equally represented in order to prevent one
12 party from "districting" or "gerrymandering"
13 another out of existence.

14
15 3. The governor should play a minor role in
16 redistricting, but should serve in the indirect
17 capacity of settling disputes between political
18 parties.

19
20 The Committee sought to achieve the first goal
21 by providing for a nine member commission - eight
22 members appointed by the General Assembly and the
23 ninth appointed by the governor. The General
24 Assembly thus will appoint eight out of the nine
25 members on the commission and thereby easily domi-
26 nate it.

27
28 In order to achieve the goal of party balance, four
29 of the General Assembly's eight members on the Commis-
30 sion will be appointed by the majority party leadership
31 (two by the Speaker of the House of Delegates and two
32 by the President of the Senate) and four will be
33 appointed by the minority party leadership (two by
34 the House Minority Leader and two by the Senate
35 Minority Leader). This will give the two largest
36 political parties a total of four spokesmen each
37 on the redistricting commission, a number guaranteed
38 to be sufficient to prevent unfair "gerrymandering"
39 along political party lines.

40
41 Although the actual appointing power for the eight
42 legislative members of the redistricting commission
43 will rest with the legislative leadership, it is the
44 intention of the Committee on the Legislative Branch
45 that the persons appointed to the redistricting com-
46 mission will represent the interests of their state-
47 wide political parties rather than only the interests
48 of the legislative leadership.

49
50 In order to achieve the goal of minor gubernatorial

1 participation, the governor is given the power
2 to name the ninth member of the redistricting
3 commission. Although the governor's appointee
4 will serve as chairman of the commission for
5 procedural purposes, he will have only one vote
6 and could be easily outvoted by the eight legis-
7 lative members of the commission. The vote of
8 the governor's appointee will probably be meaning-
9 ful only in those few instances when the redis-
10 tricting commission splits completely along poli-
11 tical party lines.

12
13 In actuality, the Committee on the Legislative
14 Branch does not anticipate that most of the contro-
15 versies before the redistricting commission will
16 be decided solely along political party lines.
17 The redistricting controversy traditionally has
18 been between rural and urban constituencies in
19 Maryland rather than between the political parties,
20 and this situation should continue in the fore-
21 seeable future.

22
23 Section 3.03a. Redistricting Procedure

24
25 The commission on legislative redistricting
26 shall submit a redistricting plan to the Governor
27 who shall transmit the plan to the General Assembly
28 by the first day of the regular session in any
29 year in which redistricting is to be effective. If
30 any other plan has not been provided by law within
31 50 days after the transmission of the commission
32 plan to the General Assembly, then the commission
33 plan shall become law. Upon petition of any regis-
34 tered voter, the Court of Appeals shall have original
35 jurisdiction to review the plan of redistricting
36 which becomes law. If a plan enacted by the General
37 Assembly is found by the Court of Appeals to be
38 unlawful, then the commission plan shall become law.
39 If the Court of Appeals finds the commission plan
40 is unlawful, then the Court of Appeals shall grant
41 appropriate relief for the conduct of the impending
42 election.

43
44 Comment:

45
46 Section 3.03a provides that reapportionment in
47 Maryland will be decided by both houses of the
48 General Assembly through legislative act subject
49 to gubernatorial veto. The redistricting plans
50 submitted to the General Assembly by the redistricting

1 commission created in Section 3.03 above shall
2 become law only if the General Assembly itself
3 fails to act within 50 days after the commission's
4 plans are submitted. The commission redistricting
5 plan also shall become law if the governor vetoes
6 the General Assembly plan and the General Assembly
7 fails to override the governor's veto.

8
9 The Committee on the Legislative Branch
10 recommends an independent commission to suggest
11 redistricting plans to the legislature for the
12 following reasons:

13
14 1. A redistricting commission would free the
15 legislature of much of the undue delay and expense
16 associated with redistricting sessions. One need
17 only look at the recent turmoil of legislative
18 redistricting in Maryland to understand the
19 numerous and lengthy special sessions that would be
20 required for the legislature to initiate and to
21 accomplish the redistricting task by itself. In
22 fact, rather than limiting the legislature's power,
23 a redistricting commission will be a relief to
24 most state legislators and will free them of some
25 of the burden of having to pass on their fellow
26 members' political survival.

27
28 2. State legislatures have tended to postpone
29 and procrastinate, even with court ordered redis-
30 tricting. A commission could get to work on redis-
31 tricting swiftly. Quick and efficient action by the
32 commission in proclaiming its redistricting plan
33 would speed the legislature along in facing up to
34 redistricting problems.

35
36 3. A legislative body is not properly consti-
37 tuted to initiate the first phases of the redistrict-
38 ing task. The American legislative process is
39 primarily a system of discussion and compromise.
40 As a result of the Supreme Court's "one man - one
41 vote" ruling, however, redistricting is no longer
42 subject to compromise but is an area in which
43 definite constitutional standards must be met. A
44 redistricting commission could begin this task
45 much better than a legislature could.

46
47 4. The general principle of conflict of interest
48 is involved. John Locke, whose principles of natural
49 rights and freedoms are found throughout American
50 government, was the first scholar to point out that

1 it was a conflict of interest to allow incumbent
2 legislators to personally design the legislative
3 districts from which they would seek election.
4 Locke wisely predicted that legislatures would use
5 this power to keep incumbents in office and would
6 flagrantly disregard changes in population. In
7 fact, the argument can be made that the root cause
8 of the entire redistricting controversy was the error
9 of allowing legislators to design their own districts
10 in the first place. A redistricting commission would
11 alleviate this problem of conflict of interest by
12 guaranteeing that the "first look" at redistricting
13 would be by persons whose political survival was not
14 directly tied to redistricting.

15
16 At the present time ten states in the United
17 States provide in their state constitutions for a
18 redistricting commission plan to become effective if
19 the legislature fails to act. Those ten states are:
20 California, Connecticut, Illinois, Maine (lower house
21 only), Missouri (only after court declares unconsti-
22 tutional), North Dakota, Oklahoma, Oregon, South
23 Dakota and Texas.

24
25 Section 3.03a also provides that the Court of
26 Appeals shall have original jurisdiction to review
27 redistricting plans. The purpose of this provision
28 is to reduce litigation and shorten the time required
29 to dispose of redistricting cases. Since redistricting
30 suits are almost always appealed to the highest
31 state court, it is logical to give the Court of Appeals
32 original jurisdiction and bypass all lower court
33 activity.

34
35 Those members of the Committee on the Legislative
36 Branch voting in favor of establishing an independent
37 commission to recommend redistricting plans to the
38 General Assembly were:

39
40 E. Clinton Bamberger, Jr. Royce Hanson
41 Harry Bard Anne D. Hopkins
42 Franklin L. Burdette Samuel C. Linton
43 E. Stuart Bushong Beatrice Miller
44 Francis X. Gallagher Vernon L. Neilson
45 Rubye H. Gill Alfred Scanlan
46 James P. Gleason Stanley Sollins

47
48
49
50

1 Section 3.07. Vacancies

2
3 The method of filling a vacancy in the
4 General Assembly shall be as prescribed by
5 law, provided that the appointee to succeed
6 a party member shall be a member of the same
7 party. The person chosen to fill the vacancy
8 shall serve only until the next statewide
9 general election held more than ninety days
10 after the vacancy occurs, at which election
11 any remaining portion of the unexpired term
12 shall be filled.

13
14 Comment:

15
16 Section 3.07 gives the General Assembly
17 the power to prescribe by law the method of
18 filling vacancies in either house of the
19 legislature. It also provides that persons
20 appointed by whatever means the General Assembly
21 selects to fill a vacancy shall serve only until
22 the next statewide general election that follows
23 more than 90 days after the vacancy occurs. At
24 that time the vacancy would be filled by election
25 and thus the vacated seat would be occupied by an
26 elected official for the remaining time of the
27 legislative term.

28
29 It is the intention of the Committee on the
30 Legislative Branch to continue the present Maryland
31 procedure by which vacancies are filled by the
32 State Central Committee of the party of the person
33 vacating the seat. The Committee was opposed,
34 however, to putting such a detailed procedure in
35 the constitution and giving constitutional status
36 to a minor party organization such as the State
37 Central Committee. The Committee therefore gave
38 the power to fill vacancies to the General Assembly
39 but intends to ask the Convention to include in
40 the schedule of legislation to be adopted with
41 this Constitution (Under Section 17 of the Enabling
42 Act) the present system of filling vacancies through
43 the State Central Committees. If change from the
44 present system of filling vacancies becomes necessary
45 at a future date, the General Assembly will be able
46 to make the change through legislation rather than
47 a constitutional amendment.

48
49 Section 3.09. Appointment of Legislators to
50 Other Offices.

1 No member of the General Assembly shall, during
2 the term of office for which he was elected or
3 appointed, be appointed to any office which
4 shall have been created, or the compensation
5 increased, by the General Assembly during such
6 term.

7
8 Comment:
9

10 Section 3.09 is similar in effect to Article
11 III, section 17 of the present Constitution and
12 forbids the appointment of a member of the General
13 Assembly to an office created or rendered more
14 lucrative while he was in the General Assembly.
15 The need for this historic prohibition is premised
16 upon the thought that the judgment and conduct of
17 the legislature should not be affected by potential
18 personal interest in the creation of new offices
19 or in the increase in the compensation of an existing
20 office from which the General Assembly members might
21 personally benefit.

22
23 Section 3.10. Immunity of Legislators.
24

25 Words used by a member of the General Assembly
26 during any of its proceedings, including the pro-
27 ceedings of any committees and subcommittees, shall
28 be absolutely privileged, and a member shall not be
29 liable therefor in any civil action or criminal
30 prosecution.

31
32 Comment:
33

34 Section 3.10 guarantees to legislators freedom
35 from liability in any civil action or criminal pro-
36 ceeding for anything said or written on the floor
37 of either house of the General Assembly or in any
38 committee or subcommittee meeting, including the
39 Legislative Council. This grant of immunity is
40 intended to protect the members of the General
41 Assembly from the coercive effect of the fear of
42 a law suit, and is thought essential to promote
43 full, free and open debate.

44
45 The recommended draft of the Constitutional
46 Convention Commission extended immunity only to
47 "proceedings" of the General Assembly. The
48 Committee on the Legislative Branch believes,
49 however, that all doubt in the matter should be
50 eliminated by specifying in the Constitution that

1 "proceedings of any committee and subcommittee"
2 are definitely included within this grant of
3 legislative immunity.
4

5 Section 3.13. Organization of General Assembly
6

7 Each house shall be the judge of the qualifi-
8 cations and selection of its members, as prescribed
9 by this Constitution and the laws of this State.
10 Each house shall elect its own officers and determine
11 its rules of procedure, and may permit its committees
12 to meet between sessions of the General Assembly.
13 Each house, by the affirmative vote of a majority
14 of all its members present and voting, a quorum
15 being present, may compel the attendance and
16 testimony of witnesses and the production of records
17 and papers either before the house as a whole or
18 before any of its committees, provided that the rights
19 and the records and papers of all witnesses in such
20 cases shall have been protected by law. Each house
21 may punish a member for disorderly or disrespectful
22 behavior by the affirmative vote of a majority of
23 all its members present and voting, a quorum being
24 present. Each house may expel a member by the
25 affirmative vote of three-fifths of all its members
26 present and voting, a quorum being present.
27

28 Comment:
29

30 Section 3.13 follows established precedent in
31 permitting each house to judge the qualifications and
32 elections of its members. It also permits each house
33 to punish members for disorderly behavior by a majority
34 vote and to expel members by a three-fifths vote.
35

36 Section 3.13 also makes clear that committees of
37 the General Assembly may legally meet between sessions.
38 Although the Legislative Council currently performs
39 the function of between-sessions meetings, the
40 Committee on the Legislative Branch believes that the
41 legislature may at some future date prefer to accom-
42 plish this goal through between-sessions meetings of
43 standing committees.
44

45 Also included in Section 3.13 is the right of each
46 house, by the affirmative vote of a majority of all its
47 members present and voting, to compel the attendance of
48 witnesses and issue legislative subpoenas. The Committee
49 on the Legislative Branch believes that a vote should
50 be taken in each house every time a witness is so
51 subpoenaed in order to protect the rights of witnesses.

1 Section 3.13 has eliminated the sentence in
2 the Constitutional Convention Commission draft
3 providing that, "No person's right to fair and just
4 treatment in the course of legislative and executive
5 investigations shall be infringed." Although the
6 Committee on the Legislative Branch is in basic
7 agreement with the sentiment expressed in this
8 sentence, it is the Committee's opinion that such
9 a statement belongs in the Declaration of Rights
10 rather than in the Legislative Article. This is
11 true not only because the sentence refers to
12 "executive" as well as "legislative" investigations,
13 but also because the right to "fair and just treat-
14 ment" during any investigation is so basic that it
15 should have the additional dignity of being included
16 in the Declaration of Rights.

17
18 Section 3.14. Quorum

19
20 A majority of all the members of each house
21 shall constitute a quorum for the transaction of
22 business in each house, but a smaller number may
23 adjourn from day to day.

24
25 Comment:

26
27 Section 3.14 is similar to the almost standard
28 quorum provision found in nearly three-fourths of
29 all state constitutions, including the present
30 Maryland Constitution. It establishes that a
31 majority of all the members of each house must be
32 present for the transaction of business in each
33 house.

34
35 The phrase, "but a smaller number may adjourn
36 from day to day " was included so that a house
37 of the General Assembly would always have the power
38 to adjourn, whether a quorum was present or not.
39 The desire here was to save the Senate or the
40 House of Delegates the potential embarrassment at
41 a future date of not being able to get a quorum
42 present in order to officially adjourn.

43
44 Section 3.15. Form of Laws.

45
46 The style of every law of this State shall be
47 "Be it enacted by the General Assembly of
48 Maryland;" and the General Assembly shall enact
49 no law except by bill. Every law enacted by
50 the General Assembly shall embrace only one subject,

1 which shall be described in its title. No
2 law nor section of law shall be revived or
3 amended by reference to its title or section
4 only, nor shall any law be construed by
5 reason of its title to grant powers or confer
6 rights which are not expressly contained in
7 the body of the act. It shall be the duty of
8 the General Assembly in amending any article
9 or section of the code of laws of this State
10 to enact the article, section or law as it
11 would read when amended.

12
13 Comment:

14
15 Section 3.15 is essentially the same as
16 Art. 3, Sec. 29 of the present Constitution
17 and has been adopted virtually unchanged from
18 the suggested draft of the Constitutional Con-
19 vention Commission. The purpose of Section 3.15
20 is to prevent the General Assembly from enacting
21 laws surreptitiously, to prevent the log-rolling
22 of legislation by having bills embrace more than
23 one subject, and to give the voters of the state
24 general notice of the character of proposed
25 legislation.

26
27 The Committee on the Legislative Branch recog-
28 nizes that there have been occasions when sound
29 and desirable legislation has been invalidated by
30 the courts because of a technical error in the
31 title or because a bill embraced more than one
32 subject. Nevertheless, the Committee believes
33 that the reasons for requiring a single subject
34 and a descriptive title are still valid. The
35 absence of such a provision might in some instances
36 make it necessary for a legislator to acquiesce in
37 an undesirable bill in order to secure useful and
38 necessary legislation.

39
40 Section 3.16. Consideration of Bills

41
42 A bill may originate in either house of the
43 General Assembly and be altered, amended, passed,
44 or rejected by the other. Except during the first
45 four days of a special session, no vote on final
46 passage of a bill shall be taken until the bill
47 shall be prepared in final form. No vote on final
48 passage of a bill shall be taken until the fifth
49 calendar day after its introduction in the house
50 of origin and until the second calendar day after

1 it reaches the second house, except upon
2 the affirmative vote of three-fifths of
3 all the members present and voting, a quorum
4 being present, of the house in which suspen-
5 sion is requested. The General Assembly may
6 provide by law that bills shall be continued
7 for two consecutive regular sessions within
8 a term of the General Assembly.
9

10 Comment:
11

12 Section 3.16 assures that legislation may
13 be introduced in either house and that the house
14 in which legislation does not originate has com-
15 plete freedom to act upon such legislation in
16 whatever way it sees fit. This section closely
17 follows Article III, Section 16 of the present
18 Constitution and is basically similar to the
19 Constitutional Convention Commission draft.
20

21 Section 3.16 dispenses with the requirement
22 in the present Constitution for "three separate
23 readings" prior to the adoption of legislation.
24 The concept of three separate readings has become
25 a time consuming archaism. The goal of preventing
26 legislation from being enacted hastily or without
27 adequate public notice can better be achieved by
28 having legislation "lay over" a specified number
29 of days before final enactment becomes constitu-
30 tionally possible.
31

32 Section 3.16 therefore provides that no vote
33 on final passage of a bill shall be taken until
34 five days after its introduction in the house of
35 origin and until two days after it reaches the
36 second house. These time limits will offer adequate
37 time to alert all legislators and to allow the
38 public to make its views known in Annapolis.
39

40 Conditions could arise, however, where the
41 legislature would wisely wish to act more hastily
42 than these "lay over" requirements would allow.
43 In order to provide for such a suitation, Section
44 3.16 states that the "lay over" requirement may be
45 dispensed with by a three-fifths vote of the appro-
46 priate house. In order that short one-day special
47 sessions may be called to solve, quickly and
48 efficiently, individual problems, Section 3.16
49 also provides that the "lay over" requirement
50 not apply during the first four days of a special
51 session.

1 Section 3.17. Journal and Passage of Bills

2
3 Each house of the General Assembly shall
4 keep a daily journal of its proceedings and a
5 transcript of its debates. The daily journal
6 shall be published as soon as practicable and
7 the transcript shall be available to the
8 public. All final committee votes on all
9 bills in both houses shall be entered by
10 individual recorded vote in the daily journal
11 of the appropriate house. No bill shall be
12 enacted nor shall a resolution requiring the
13 action of both houses be adopted unless it is
14 passed in each house by a majority of all the
15 members of that house present and voting, a
16 quorum being present. A vote in joint session
17 or by either house on any bill or resolution
18 shall be taken only in public session. On
19 final passage of a bill, including a bill pro-
20 posing a constitutional amendment, or a resolu-
21 tion, the vote cast by each member shall be
22 recorded in the journal of the house of which
23 he is a member.

24
25 Comment:

26
27 Section 3.17 provides that the vote required
28 for passage of a bill in either house of the General
29 Assembly should be a majority of those present and
30 voting, there being a quorum present. This is
31 a significant change from the existing Constitu-
32 tion, which requires a majority vote of the total
33 membership of the particular house.

34
35 When a majority vote of the total membership
36 is required, a legislator who is absent is
37 recorded, in effect, as casting a negative vote.
38 This is true whether absence is caused by death,
39 illness, bad weather, or some other unavoidable
40 calamity.

41
42 Requiring a majority vote of the total member-
43 ship also allows legislators intentionally to cast
44 an unrecorded negative vote by simply not appearing
45 at the legislature on the particular day the vote
46 is taken. Another tactic is to appear but cast an
47 unrecorded negative vote by simply not voting.
48 This practice of allowing legislators to vote nega-
49 tively without being recorded reduces the "visibility"
50 of the legislature and breaks down lines of responsi-
51 bility between legislators and voters.

1 Experience in the national Congress and
2 the Maryland General Assembly indicates there
3 is no longer sufficient reason to require a
4 majority vote of the total membership. When
5 crucial issues reach the floor of a modern
6 legislature, every member is present if at all
7 possible. This means the danger is very low
8 that important or controversial measure will
9 slip through the legislature if only a majority
10 of those present and voting is required. On
11 the other hand, requiring only a majority of
12 those present and voting will enable routine
13 and non-controversial measures, which constitute
14 the bulk of legislative enactments, to pass more
15 efficiently and expeditiously.
16

17 Permitting the passage of bills by a majority
18 of those present and voting will also permit the
19 practice followed in the national Congress of
20 "pairing" votes. Under the pairing system, a
21 legislator who knows he will be absent when the
22 vote is taken "pairs" his vote with that of a
23 legislator intending to vote on the opposite side
24 of the issue. In this way, their positions are
25 recorded but their joint non-voting does not
26 affect the outcome. Pairing is impossible when
27 a majority of the total membership is required
28 because the legislator who wishes to cast a
29 positive vote in effect casts a negative vote
30 if he pairs with another legislator and does not
31 vote.
32

33 Allowing the passage of bills with a majority
34 of those members present and voting thus will
35 speed up the work of the legislature, will make
36 it easier for the legislature to act, and will
37 remove absentees from the often unwanted role of,
38 in effect, casting a vote for the negative side.
39

40 Section 3.17 also increases the visibility
41 and responsibility of the legislature by requiring
42 that the journals of both houses be published and
43 that transcripts of daily debate be made available
44 to the public. Keeping a transcript and making it
45 available to interested citizens is a significant
46 break from past traditions in the General Assembly.
47 To date, Senate and House of Delegates debates
48 have never been recorded for public consumption.
49 The Committee on the Legislative Branch believes
50 that the cost of transcribing debates in the General

1 Assembly, will be more than repaid through
2 increased citizen interest in and knowledge
3 of the Maryland state legislature. The
4 Committee envisages a Maryland General
5 Assembly Record similar to the Congressional
6 Record published by the national Congress.
7

8 Section 3.17 also provides that all final
9 committee votes on all bills in both houses
10 shall be entered by individual recorded vote
11 in the daily journal. This requirement is
12 necessary because many more bills are defeated
13 in committee than are defeated on the legisla-
14 tive floor. No legislature can be considered
15 "visible" and "responsible" to the voters if
16 final committee votes by individual legislators
17 are not entered in the public record on a
18 constitutionally required basis.
19
20

21 Section 3.18. Conflict of Interest

22

23 The General Assembly shall provide by law
24 for a code of ethics and for the regulation
25 of conflicts of interest for all elected
26 officials of the State of Maryland.
27

28 Comment:

29

30 Section 3.18 establishes the general
31 principle that there should be a code of
32 ethics for all elected officials in the
33 State of Maryland. It also mandates the
34 General Assembly to pass conflicts of interest
35 legislation. Having clearly established the
36 desirability and guaranteed the constitutionality
37 of a code of ethics and conflicts of interest
38 legislation, Section 3.18 leaves the writing of
39 the details to the General Assembly.
40

41 The Committee on the Legislative Branch
42 commends the fact that the Legislative Council
43 of the present General Assembly is currently
44 studying the problem of conflicts of interest
45 and is expected to recommend suggested legis-
46 lation to the next session of the legislature.
47 The Committee acknowledges that the details
48 of conflict of interest should be statutory,
49 but firmly believes the principle to be of
50 constitutional importance.

1 Section 3.01a. State Capital.

2
3 Annapolis is the capital of the State and
4 the meeting place of the legislature.

5
6 Comment:

7
8 Section 3.01a is similar to Article 11 of
9 the Declaration of Rights which provides that
10 Annapolis shall be the place of meeting of the
11 legislature and that the legislature ought not
12 be convened at any other place but from evident
13 necessity.

14
15 The Committee on the Legislative Branch
16 recognizes that it is highly unlikely that any
17 attempt will be made in the future to remove
18 the capital of the State or the meeting place of
19 the legislature from Annapolis. For the sake
20 of history and tradition, however, the Committee
21 believes that it will be desirable to have this
22 sentence establishing Annapolis as the state
23 capital remain in the Constitution.

24
25 Section 3.17a. Special Legislation

26
27 The General Assembly shall pass no special
28 law when a general law is applicable, and
29 whether a general law is applicable shall be
30 a matter for judicial determination.

31
32 Comment:

33
34 Section 3.17a prohibits the General Assembly
35 from passing special legislation when a general
36 law is applicable. This provision is contained
37 in the present Constitution and is also recommended
38 in the Model State Constitution of the National
39 Municipal League. Although there appears to be
40 little danger of special legislation being enacted
41 by the modern General Assembly when general laws
42 are applicable, the Committee on the Legislative
43 Branch considers the provision to be a needed
44 safeguard and recommends its retention in the
45 new Constitution.

46
47 Section 3.17b. Effective Date of Laws

48
49 No law passed by the General Assembly shall
50 take effect until the first day of July following
51 passage unless otherwise expressly declared therein.

1 Comment:
2
3

4 Section 3.17b provides that all laws passed
5 by the General Assembly shall take effect the
6 first day of July following their passage unless
7 the bill itself sets a differing effective date.
8 This section is intended as a general notice to
9 all persons who must work with large volumes of
10 legislation. Establishing the effective dates of
11 legislation is greatly simplified if a single date
12 is provided in the Constitution. July 1st was
13 chosen because it coincides with the start of the
14 State's fiscal year.
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1 Appendix A. Possible Redistricting Plans
2 For 1970
3

4 This appendix contains two redistricting
5 plans for the House of Delegates based on
6 1970 population projections provided by the
7 Maryland State Department of Planning. Chart I
8 redistricts the state as equally as possible
9 following the general guideline that no dis-
10 trict may deviate more than fifteen percent
11 up or down from the average district size of
12 33,000 persons. Chart I is also designed to
13 give the small counties as high a proportion
14 of the population electing a single delegate
15 as possible.
16

17 Chart II illustrates the flexibility that
18 can be achieved by using "substantially equal"
19 as the standard for redistricting. Chart II
20 allows at least one delegate to each county
21 but keeps the deviations low enough that they
22 are within the range of the present (1967)
23 apportionment of the House of Delegates. For
24 comparison purposes, the present apportionment
25 of the House of Delegates is included with the
26 district deviations computed (Chart III).
27

28 Chart IV is a list of the maximum and mini-
29 mum deviations which currently exist in all
30 of the 50 states. All of these apportion-
31 ments have been held constitutional unless
32 otherwise noted. An inspection of Chart IV
33 will reveal that many of the deviations in
34 other states are much greater than those
35 anticipated if Maryland retains the "at
36 least one delegate per county" principle in
37 1970 (Chart II).
38

39 These redistricting plans are not suggested
40 redistricting plans for the State of Maryland
41 in 1970. That task will rest with the redis-
42 tracting commission established in this new
43 constitution and the General Assembly. These
44 redistricting plans are intended only as examples
45 of the flexibility inherent in the "substantially
46 equal" principle.
47
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CHART I

HOUSE OF DELEGATES -- 1970

120 MEMBERS (33,000 Base)

Equal Apportionment

District	No. of Seats	Pop. per Rep.	Percentage Deviation
Garrett & Allegany	1	20.6 10.0 <u>30.6</u>	- 7
Allegany	2	37.3	+13
Washington	3	34.0	+ 3
Frederick	3	28.8	-13
Montgomery	14	36.2	+10
Howard	2	32.1	- 3
Carroll	2	33.2	± 0
Harford	3	36.8	+11
Baltimore	20	32.3	- 2
Baltimore City	29	32.7	± 0
Anne Arundel	10	31.7	- 4
Prince George's	19	32.1	- 2
Calvert & Prince George's	1	21.9 10.0 <u>31.9</u>	- 4
Charles	1	31.0	- 6
Charles & St. Mary's	1	31.3	- 5
St. Mary's	1	31.0	- 6
Wicomico	1	36.0	+10
Somerset & Wicomico	1	19.0 10.0 <u>29.0</u>	-12
Worcester & Wicomico	1	25.3 10.0 <u>35.3</u>	+ 7
Talbot & Caroline	1	19.4 17.6 <u>36.0</u>	+10

<u>District</u>	<u>No. of Seats</u>	<u>Pop. per Rep.</u>	<u>Percentage Deviation</u>
Dorchester,		30.6	
Talbot &		4	
Caroline		3	
	1	<u>37.6</u>	+14
Kent &		17.9	
Queen Anne's		18.3	
	1	<u>36.2</u>	+10
Cecil	2	29.8	-10
Greatest plus and minus deviation from average			+14
			<u>-13</u>
			27
Minimum population necessary to elect 61 delegates (majority of house)			48.8%

CHART II

HOUSE OF DELEGATES--1970

120 MEMBERS (33,000 Base)

Equal Apportionment with one Delegate per District

District	No. of Seats	Percentage Deviation
----------	--------------	----------------------

Garrett	1	-37
Allegany	2	+15
Allegany & Washington	1	+10
Washington	1	+15
Washington & Frederick	1	+15
Frederick	2	+15
Frederick & Carroll	1	+15
Carroll	1	+15
Howard	2	- 1
Baltimore	20	- 2
Baltimore City	27	+ 6
Harford	3	+11
Cecil	2	- 9
Anne Arundel	10	- 4
Montgomery	15	+ 3
Prince George's	18	+ 4
St. Mary's	1	- 5
Charles	1	- 5
Charles & St. Mary's	1	- 7
Calvert	1	-33
Kent	1	-45
Queen Anne	1	-44
Caroline	1	-37
Talbot	1	-29
Dorchester	1	- 7
Wicomico	2	-17
Somerset	1	-42
Worcester	1	-23

Greatest plus and minus deviation from average:	+15%
	-45%
	60%

Minimum population necessary to elect 61 representatives (a majority of house)	47%
--	-----

CHART III

HOUSE OF DELEGATES--1967
142 MEMBERS (21,836 Base)
Present Districting

District	No. of Seats	Pop. per Rep.	Percentage Deviation
Allegany	4	21,042	- 3.64
Anne			
Arundel	9	22,959	+ 5.14
Baltimore	22	22,383	+ 2.51
Baltimore			
City	43	c.21,000	c. + 0.00
Calvert	1	15,826	-27.52
Caroline	1	19,462	-10.87
Carroll	2	26,393	+20.87
Cecil	2	24,204	+10.84
Charles	2	16,286	-25.42
Dorchester	1	29,666	+35.86
Frederick	3	23,977	+ 9.80
Garrett	1	20,420	- 6.48
Harford	4	19,181	-12.16
Howard	2	18,076	-17.22
Kent	1	15,481	-29.10
Montgomery	16	21,308	- 2.42
Prince			
George's	16	22,337	2.29
Queen			
Anne's	1	16,569	-24.12
St. Mary's	2	19,458	-10.89
Somerset	1	19,623	-10.13
Talbot	1	21,578	- 1.18
Washington	4	22,805	+ 4.44
Wicomico	2	24,525	+12.31
Worcester	1	23,733	+ 8.69
Greatest plus and minus deviation from average:			+35.86% -29.10% <hr/> 64.96%
Minimum population necessary to elect 72 representatives (a majority of house)			48.04%

CHART IV

Greatest Plus and Minus Deviation from Average of the Lower Houses of the 50 States as of 1967

<u>State</u>	<u>Percent</u>
Alabama	+ 22.75 - 24.96
Alaska	+ 36.35 - 39.60
Arizona	+ 6.52 - 15.50
Arkansas	+ 13.93 - 14.83
California	+ 13.49 - 14.29
Colorado	+ 13.44 - 11.70
Connecticut	+ 38.37 - 34.54
Delaware	+ 9.23 - 13.60
Florida	+ 4.61 - 5.57
Georgia	+ 24.04 (Court ordered reapportionment before 1968 election) - 36.93
Hawaii	+ 44.21 (This plan valid as temporary only) - 48.73
Idaho	+ 32.06 (Federal Court upheld on grounds did not distort the "equal population principle" to an illegal extent) - 15.42
Illinois	+ 8.60 - 8.32

	<u>State</u>	<u>Percent</u>	
1			
2			
3	Indiana	+ 10.26	
4		- 11.10	
5			
6	Iowa	+ 39.75	
7		- 36.45	
8			
9	Kansas	+ 11.02	
10		- 11.23	
11			
12	Kentucky	+ 33.24	(never tested in court)
13		- 33.63	
14			
15	Maryland	+ 35.86	
16		- 29.10	
17			
18	Massachusetts	+ 43.37	(amendments pending
19		- 80.02	to alter)
20			
21	Michigan	+ 1.46	
22		- 2.82	
23			
24	Minnesota	+ 12.69	
25		- 25.64	
26			
27	Mississippi	+ 9.68	
28		- 11.14	
29			
30	Missouri	+ 8.59	
31		- 9.98	
32			
33	Montana	+ 24.69	
34		- 25.13	
35			
36	Nebraska	+ 12.73	
37		- 6.48	
38			
39	Nevada	+ 18.51	
40		- 22.44	
41			
42	New Hampshire	+ 63.04	
43		- 30.58	
44			
45	New Jersey	+ 42.33	(Court ordered new reap-
46		- 51.98	portionment before 1968
47			election.)
48			
49	New Mexico	+ 36.23	
50		- 38.19	

	<u>State</u>	<u>Percent</u>	
1			
2			
3	New York	+ 8.84	
4		- 10.31	
5			
6	North Carolina	+ 14.42	
7		- 13.98	
8			
9	North Dakota	+ 10.13	
10		- 12.15	
11			
12	Oklahoma	+ 12.63	
13		- 10.54	
14			
15	Oregon	+ 34.54	
16		- 35.70	
17			
18	Pennsylvania	+ 15.96	
19		- 14.08	
20			
21	Rhode Island	+ 18.63	
22		- 9.73	
23			
24	South Carolina	+ 53.48	(Under court order to
25		- 55.09	submit a new plan.)
26			
27	South Dakota	+ 19.47	
28		- 14.07	
29			
30	Tennessee	+ 27.93	
31		- 16.39	
32			
33	Texas	+ 11.64	
34		- 14.84	
35			
36	Utah	+ 7.17	
37		- 30.79	
38			
39	Vermont	+ 11.47	
40		- 14.27	
41			
42	Virginia	+ 20.00	
43		- 21.78	
44			
45	Washington	+ 18.18	
46		- 26.92	
47			
48	West Virginia	+ 46.38	
49		- 37.73	
50			

<u>State</u>	<u>Percent</u>
Wisconsin	+ 32.48
	- 43.67
Wyoming	+ 46.72
	- 43.34

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Constitutional Convention

MINORITY REPORT NO. LB 2 (A)

BY DELEGATES GILCHRIST, LINTON, CLARK AND DELLA

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 29 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB 2

TITLE

1 A MINORITY REPORT that Sec. 3.17 of the new
2 Constitution concerning the Legislative Branch
3 shall include a requirement that bills be
4 adopted by a majority of all the members of
5 the Senate and the House of Delegates, to
6 read as follows:

7
8 No bill shall be enacted nor shall a
9 resolution requiring the action of both houses
10 be adopted unless it is passed in each house by
11 a majority of all the members of that house.

12
13 Comment:

14
15 The majority of the Committee on the
16 Legislative Branch has recommended the abolition
17 of Maryland's historic Constitutional require-
18 ment that bills be enacted in the Senate and the
19 House of Delegates by a majority of the total
20 membership (the so-called "Constitutional"
21 majority). The Committee majority suggests that
22 the only requirement be "a majority of all the
23 members present and voting, a quorum being pre-
24 sent". The minority of the Committee on the
25 Legislative Branch regards this as one of the
26 most revolutionary proposals before the entire
27 Convention and is strongly opposed.

1 Throughout its entire history Maryland has had
2 a constitutional requirement that bills be
3 enacted by a majority of all the members of
4 each house. The result of this provision has
5 been to assure to the people of Maryland that
6 laws are passed by a majority of their legis-
7 lators, not a minority.

8
9 Under the "present and voting" recommen-
10 dation of the Committee on the Legislative
11 Branch with the General Assembly composed of
12 a 40 member Senate and a 120 member House of
13 Delegates, only 11 votes in the Senate and 31
14 votes in the House could pass legislation.

15
16 The minority believes that the majority
17 recommendation is conducive to bad government,
18 not good, and that it provides an opportunity
19 for political trickery which has never before
20 existed in Maryland. Only 61 members of the
21 House and 21 members of the Senate are required
22 for a quorum. A majority of these could pass
23 any bill or even discipline other members, if
24 the majority view prevails.

25
26 Any delegate can see in this the oppor-
27 tunities for small groups to control legislation.
28 On a snowy day a committee chairman could line
29 up his own people to be present, and a pet bill
30 could pass the House, even though the other 89
31 members might disapprove. In the Senate the real
32 division of opinion could be 11 to 29, yet a
33 measure could be passed by the 11.

34
35 The recommendation of the Committee majority
36 provides a wonderful opportunity for the legisla-
37 tor to avoid his responsibilities and to lower his
38 visibility. Since only 31 votes in the House would
39 be necessary, it would be easy for him to refrain
40 from voting, certain in the knowledge that a few
41 will be able to pass a bill which he personally
42 favors, but on which he does not desire to have
43 his vote recorded.

44
45 Even where three-fifths votes are required, such
46 as for expulsion of a member, the majority of the
47 Committee on the Legislative Branch has required
48 only three-fifths of those "present and voting."

49
50 The majority recommendation is completely

1 out of step with practice in most American
2 states. Only five states have constitutional
3 provisions permitting that which the majority
4 proposes (Florida, Idaho, Montana, New Jersey
5 and New Mexico). Three require a majority of
6 each house, if that number is equal to a stipu-
7 lated minimum. Two require a majority of the
8 "members to which each house is entitled".
9 Three require a "majority of each house".
10 Twenty-six require a "majority of the members
11 elected to each house." Eleven constitutions
12 are silent on the point, leaving the require-
13 ments to be established by rule.

14
15 The Model State Constitution of the
16 National Municipal League suggests a constitu-
17 tional majority. The Maryland Constitutional
18 Convention Commission recommended its inclusion.

19
20 The minority finds it incredible that the
21 majority could have recommended such a backward
22 step, and strongly urges the adoption of a
23 provision requiring a majority of all the members
24 of each house.

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Constitutional Convention

MINORITY REPORT NO. LB-2(B)

BY DELEGATES Scanlan, Della, Gilchrist, Linton,
and Peters

OF THE COMMITTEE ON THE LEGISLATIVE BRANCH

November 29 , 1967.

Presented and received.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Minority Report relates to Committee Recommendation No. LB-2

TITLE

1 A MINORITY REPORT that Article III of the new
2 Constitution not provide for a code of ethics
3 and not require the General Assembly to enact
4 conflict of interest legislation.
5

6 A majority of the Committee on the Legisla-
7 tive Branch has recommended that the Constitu-
8 tion contain the following as a section of the
9 Legislative Article:

10
11 Section 3.18. Conflict of Interest
12

13 The General Assembly shall provide by law
14 for a code of ethics and for the regulation
15 of conflicts of interest for all elected
16 officials of the State of Maryland.
17

18 Comment:
19

20 We respectfully disagree. On the grounds
21 more fully stated in this minority report, we
22 urge that the majority's recommendation in this
23 instance not be adopted by the Convention, and
24 that the new Constitution remain silent on the
25 question of conflict of interest. Specifically,
26 our reasons are:
27

1 1. The Provision Is Unnecessary. There can
2 be no dispute that the Maryland General Assembly
3 has, and will continue to possess, plenary legis-
4 lative power. Therefore, the legislature has all
5 the power necessary, not only to adopt a code of
6 ethics for itself by rule or statute, but also
7 to enact conflict of interest legislation applic-
8 able to all officials of this State. In point
9 of fact, the General Assembly has passed very
10 limited conflict of interest legislation which
11 may now be found in the Code of this State.

12
13 We do not argue, of course, that the legislature
14 has gone very far in this important and pressing
15 area. The Maryland experience in this regard
16 has been duplicated in many other states. The
17 failure of the states to enact comprehensive
18 conflict of interest legislation is partially
19 explained by the difficulties which present them-
20 selves in trying to draft a law which embraces
21 all unethical conduct on the part of public officials
22 but at the same time to enact a law in such terms
23 that it is workable in the public interest.

24
25 The State of Florida recently has enacted com-
26 prehensive conflict of interest legislation.
27 The Maryland General Assembly has been wrestling
28 with the problem from at least since 1963 to the
29 present. Like other states, the General Assembly
30 has realized that there is a danger that require-
31 ments of conflict of interest legislation may be
32 too rigid and thus deter capable and worthy men
33 from seeking public office. More often, conflict
34 of interest legislation has been too vague and
35 contradictory in nature.

36
37 It remains a difficult thing to enact a general
38 law that would be meaningful in meeting all the
39 subtleties that may arise in specific cases.
40 Nevertheless, the General Assembly is facing up
41 to the problem. The Legislative Council is cur-
42 rently considering proposed conflict of interest
43 legislation. Under these circumstances, and in
44 the light of the difficulties of drafting such
45 legislation, the additional prod which the maj--
46 ority of the Committee on the Legislative Branch
47 proposes for inclusion in the Constitution is
48 quite unnecessary and will add nothing to the
49 ultimate solution of the problem by the General
50 Assembly.

1 2. The Provision is Unenforceable. The law
2 is uniformly and completely settled in Maryland
3 that the Judiciary may not mandamus or otherwise
4 compel a state legislature to enact a law, however
5 desirable the particular legislation may be (55 C.J.S.
6 130, p. 215). The minority believes it wrong and
7 somewhat a debasement of the purposes and functions
8 of the Constitution to place in it a provision that
9 cannot rise above the nature of an unenforceable
10 ultimatum to the legislature and which is not
11 otherwise necessary for the protection of basic
12 and fundamental liberties, rights, and privileges
13 of the people.

14
15 3. The Provision is Meaningless. Even if it
16 were assumed that the provision proposed by the
17 majority could be judicially enforced and the
18 legislature thus required to implement it, the
19 General Assembly could easily avoid the letter,
20 if not the spirit, of the provision. For example,
21 it could adopt an innocuous code of ethics or
22 enact an ineffective conflict of interest statute,
23 and in so doing take the position that it had
24 achieved all that the Constitution required of
25 it. Constitutional provisions, ultimatums, or
26 commands which can be so easily evaded have no
27 place in the Constitution, which is a charter
28 of government, not a compilation of unenforce-
29 able exhortations to one branch of government
30 or another.

31
32 4. The Provision Demeans the Legislative Power.
33 No one has proposed Constitutional provisions
34 that state that the Governor should execute the
35 laws wisely or admonish the courts to interpret
36 them justly. Why, therefore, should we consti-
37 tutionally command the General Assembly to
38 exercise its legislative authority to do good in
39 a particular area, however troublesome. The pro-
40 posed provision, in the opinion of the minority,
41 is another manifestation of the unfortunate and
42 unjustified distrust of the General Assembly
43 reflected in too many proposals that have come
44 before this Convention for possible inclusion
45 in the Constitution.

46
47 In the end, the General Assembly is composed
48 of the representatives of the people. So long
49 as they observe constitutional prohibitions
50 against the abuse of legislative power and desist

1 from enacting legislation which trespasses upon
2 fundamental liberties of the people, the only
3 recourse when the General Assembly fails to enact
4 legislation which is thought compellingly neces-
5 sary in the public interest is at the ballot box.
6 It is there that the proponents of good govern-
7 ment and sound legislative policy should look if
8 it is concluded that the representatives of the
9 people are shirking their legislative responsibility.

10
11 CONCLUSION
12

13 For these reasons, we respectfully request that
14 the Convention reject the proposed Section 3.18 as
15 recommended by the majority of the Committee on
16 the Legislative Branch. We suggest instead that
17 the new Constitution remain silent on the question
18 of conflict of interest.
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Com. Rec. LIB-2
as amended.

YEAS	N-V	NAYS
● President		
● Tawes	●	
● Clark, J.		
● James		
● Abramson	●	
● Adkins	●	
● Anderson		
● Armor	●	
● Bamberger		
● Bard	●	
● Barrick	●	
● Baumann	●	
● Beachley		
● Beall	●	
● Bennett	●	
● Blair		
● Boileau		
● Borom		
● Bothe		
● Boyce		
● Boyer	●	
● Boyles		
● Bradshaw		
● Bryson		
● Burdette		
● Burgess		
● Bushong		
● Buzzell	●	
● Byrnes		
● Caldwell	●	
● Cardin		
● Carson	●	
● Case	●	
● Chabot		
● Child		
● Cicone	●	

YEAS	N-V	NAYS
● Clagett		
● Clarke, E. J.		
● Cleveland	●	
● Dabrowski		
● Darby		
● Della	●	
● Dorsey		
● Dukes		
● Dulany		
● Eckenrode		
● Finch		
● Fornos		
● Fox	●	
● Frederick	●	
● Freedlander		
● Gallagher		
● Gilchrist		
● Gill		
● Gleason		
● Grant		
● Groh	●	
● Grumbacher		
● Gullett	●	
● Hanson		
● Hardwick	●	
● Hargrove		
● Harkness		
● Harris		
● Henderson		
● Hickman		
● Hopkins		
● Hostetter		
● Hutchinson	●	
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YEAS	N-V	NAYS
● Key		
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● Leitzel		
● Linton		
● Lord		
● Macdonald		
● Malkus	●	
● Marion		
● Mason		
● Maurer		
● Mentzer	●	
● Miller, B.		
● Miller, E. T.		
● Mitchell		
● Morgan		
● Moser		
● Mosner	●	
● Mudd		
● Murphy	●	
● Murray, D. S.		
● Murray, E. C.		
● Needle		
● Neilson		
● Neumann		
● Smith, A. W.		
● Pascal		
● Penniman		
● Peters	●	
● Powers		
● Price	●	
● Pullen		
● Raley		

YEAS	N-V	NAYS
● Robey, F. C.		
● Robie, K. L.		
● Rollins	●	
● Rosenstock		
● Rush	●	
● Rybczynski		
● Scanlan		
● Schloeder		
● Schneider		
● Sherbow		
● Sickles		
● Siewierski		
● Singer		
● Smith, J. H.		
● Smith, M. H.		
● Sollins		
● Sosnowski		
● Soul		
● Stern		
● Storm	●	
● Sybert		
● Taylor, H. E.		
● Taylor, L.		
● Ulrich		
● Vecera	●	
● Wagandt		
● Webb		
● Ritter		
● Weidemeyer		
● Wheatley		
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Constitutional Convention

AMENDMENT NO. /

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE ADKINS

1 On page 1 Section 3.02 Legislative Districts
2 in line 17 strike out the word "territory"
3 and insert in lieu thereof the words "land
4 area".
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THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE

UNIVERSITY OF

OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, near St. Dunstons Church, in the City of London.

1704

Constitutional Convention

AMENDMENT NO. 1

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE BYRNES

1 On page 1 Section 3.02 Legislative Dis-
2 tricts after line 20 insert the following:

3
4 "To the extent practicable, Senate district
5 boundaries shall cross county or Baltimore
6 City political boundaries so as to contain
7 delegate districts from different counties."

Wmf

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G

Constitutional Convention

AMENDMENT NO. 2

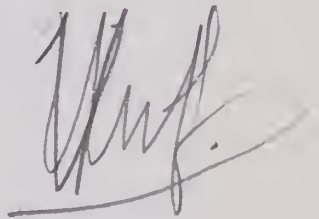
~~TO AMENDMENT NO. XXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATES WAGANDT, WINSLOW

1 On page 1 Section 3.02 Legislative Districts
2 in lines 21 through 24, inclusive, strike out
3 the sentence beginning with the word "The"
4 in line 21 and ending with the word "equal."
5 in line 24 and insert in lieu thereof the
6 following sentence: "Each house district
7 shall not exceed in population any other
8 house district by more than fifteen per cent."

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Constitutional Convention

AMENDMENT NO. 3

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To Committee Recommendation No. LB-2

BY DELEGATES M. H. SMITH, HICKMAN

1 On page 2 Section 3.02 Legislative Districts
2 in line 3 strike out the numerals "1970" and
3 insert in lieu thereof the numerals "1974".

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Constitutional Convention

AMENDMENT NO. 4

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To Committee Recommendation No. LB-2

BY DELEGATES M. H. SMITH, HICKMAN

- 1 On page 2 Section 3.03 Redistricting Commission
- 2 in lines 11 and 12 strike out the words "any
- 3 year" and insert in lieu thereof the words
- 4 "the year prior to the year".
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Handwritten signatures and initials:
A large signature, possibly "Hickman", is written in blue ink across the right side of the page.
Below it, the initials "27A" are written in blue ink.
Further down, the initials "70N" are written in blue ink.

[Faint, illegible text from the reverse side of the page]

✓

Exercise his vote

✓

Exercise their vote.

M

Constitutional Convention

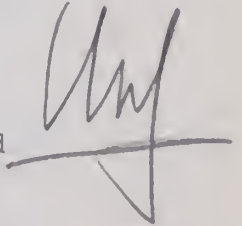
AMENDMENT NO. 5

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To Committee Recommendation No. LB-2

BY DELEGATE STORM

1 On page 2 Section 3.03 Redistricting
2 Commission in line 15 strike out the words
3 "each appoint two persons" and insert in lieu
4 thereof the following words: "appoint ten
5 persons (with each appointing such number of
6 the ten as will reflect the ratio of majority and
7 minority members of the House of Delegates
8 to the whole number of such members)"
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University of Cambridge

Examination Questions

Mathematics

1997

Part I

Question 1

Let $f(x)$ be a function

11

such that $f(x) = \frac{1}{x}$ for all $x \neq 0$.
Show that $f(x)$ is not continuous at $x = 0$.

12

Let $f(x)$ be a function such that $f(x) = \frac{1}{x}$ for all $x \neq 0$.
Show that $f(x)$ is not continuous at $x = 0$.

13

Let $f(x)$ be a function such that $f(x) = \frac{1}{x}$ for all $x \neq 0$.
Show that $f(x)$ is not continuous at $x = 0$.

Let $f(x)$ be a function such that $f(x) = \frac{1}{x}$ for all $x \neq 0$.
Show that $f(x)$ is not continuous at $x = 0$.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 5 to
Com Rec. L13-2

2

AS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett	•		Key		•	Robey, F. C.		•			
Tawes		•	Clarke, E. J.		•	Kiefer	•		• Robie, K. L.					
Clark, J.		•	Cleveland			Kirkland		•	• Rollins					
James		•	Dabrowski			Kozer	•		• Rosenstock					
Abramson		•	Darby	•		Kosakowski		•	• Rush					
Adkins		•	Della	•		Koss		•	• Rybczynski					
Anderson		•	Dorsey	•		Leitzel	•		• Scanlan		•			
Armor		•	Dukes	•		Linton		•	• Schloeder		•			
Bamberger		•	Dulany		•	Lord		•	• Schneider		•			
Bard		•	Eckenrode			Macdonald		•	• Sherbow		•			
Barrick	•		• Finch			Malkus	•		• Sickles		•			
Baumann	•		Fornos	•		Marion		•	• Siewierski		•			
Beachley	•		Fox		•	Mason	•		• Singer		•			
Beall	•		Frederick	•		Maurer		•	• Smith, J. H.		•			
Bennett		•	Freedlander		•	Mentzer		•	• Smith, M. H.		•			
Blair		•	Gallagher		•	Miller, B.		•	• Sollins		•			
Boileau		•	Gilchrist		•	Miller, E. O.			• Sosnowski					
Borom	•		Gill		•	Mitchell		•	• Soul					
Bothe		•	Gleason		•	Morgan		•	• Stern					
Boyce			Grant		•	Moser		•	• Storm					
Boyer	•		Groh		•	Mosner		•	• Sybert					
Boyles		•	Grumbacher		•	Mudd		•	• Taylor, H. E.					
Bradshaw		•	Gullett		•	Murphy	•		• Taylor, L.		•			
Bryson		•	Hanson		•	Murray, D. S.		•	• Ulrich		•			
Burdette		•	Hardwick	•		Murray, E. C.		•	• Vecera					
Burgess		•	Hargrove	•		Needle		•	• Wagandt		•			
Bushong		•	Harkness		•	Neilson		•	• Webb	•				
Buzzell		•	Harris	•		Neumann		•	• Ritter					
Byrnes	•		Henderson		•	Smith, A. W.			• Weidemeyer		•			
Caldwell		•	Hickman		•	Pascal		•	• Wheatley	•				
Cardin	•		Hopkins		•	Penniman		•	• White		•			
Carson		•	• Hostetter			Peters		•	• Willis	•				
Case		•	Hutchinson			Powers		•	• Willoner		•			
Chabot	•		Jett		•	Price	•		• Winslow		•			
Child	•		Johnson	•		Pullen		•						
Cicone		•	Kahl	•		Raley		•						

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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3-R.	800
QUO.	900
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JAN. 3
JAN. 4
JAN. 5
JAN. 6
SEPT. 7
OCT. 8
NOV. 9
DEC. 0



Constitutional Convention

AMENDMENT NO. 6

~~THE AMENDMENT NO.~~ _____

To Committee Recommendation No. LB-2

BY DELEGATES CASE, HANSON AND JAMES

1 On page 2 Section 3.03a Redistricting Pro-
 2 cedure in line 36 after the word "law" insert
 3 the following words: "and the plan of the
 4 commission if it has not become law".

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THE HISTORY OF THE

ROYAL SOCIETY OF LONDON

FROM ITS INSTITUTION TO THE PRESENT TIME

BY

JOHN HENRY LADD

OF THE SOCIETY OF LONDON

IN TWO VOLUMES

VOLUME I

FROM 1660 TO 1680

LONDON: PRINTED BY

JOHN HENRY LADD

OF THE SOCIETY OF LONDON

IN TWO VOLUMES

VOLUME I

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VOLUME I

FROM 1660 TO 1680

LONDON: PRINTED BY

JOHN HENRY LADD

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 6 to 2
Com Rec LB-2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett			● Key			● Robey, F. C.		
● Tawes			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland			● Rollins		
● James			● Dabrowski			● Kozer			● Rosenstock		
● Abramson			● Darby			● Kosakowski			● Rush		
● Adkins			● Della			● Koss			● Rybczynski		
● Anderson			● Dorsey			● Leitzel			● Scanlan		
● Armor			● Dukes			● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord			● Schneider		
● Bard			● Eckenrode			● Macdonald			● Sherbow		
● Barrick			● Finch			● Malkus			● Sickles		
● Baumann			● Fornos			● Marion			● Siewierski		
● Beachley			● Fox			● Mason			● Singer		
● Beall			● Frederick			● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer			● Smith, M. H.		
● Blair			● Gallagher			● Miller, B.			● Sollins		
● Boileau			● Gilchrist			● Miller, E. G.			● Sosnowski		
● Borom			● Gill			● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern		
● Boyce			● Grant			● Moser			● Storm		
● Boyer			● Groh			● Mosner			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett			● Murphy			● Taylor, L.		
● Bryson			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwick			● Murray, E. C.			● Vecera		
● Burgess			● Hargrove			● Needle			● Wagandt		
● Bushong			● Harkness			● Neilson			● Webb		
● Buzzell			● Harris			● Neumann			● Ritter		
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell			● Hickman			● Pascal			● Wheatley		
● Cardin			● Hopkins			● Penniman			● White		
● Carson			● Hostetter			● Peters			● Willis		
● Case			● Hutchinson			● Powers			● Willoner		
● Chabot			● Jett			● Price			● Winslow		
● Child			● Johnson			● Pullen					
● Cicone			● Kahl			● Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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RESO. 600	60 6
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3-R. 800	80 8
QUO. 900	90 9
MOT. 000	00 0

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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



Constitutional Convention

AMENDMENT NO. 7

~~For Amendment No.~~ _____

To Committee Recommendation No. LB-2

BY DELEGATE GRUMBACHER

1 On page 3 Section 3.13 Organization of General
 2 Assembly in line 30 after the word "officers"
 3 add the words: "by secret ballot".

Unk

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Removal

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23-N

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THE HISTORY OF THE

REIGN OF
HENRY THE SEVENTH
OF ENGLAND
BY
JAMES HALLAM
ESQ.
OF LINCOLN'S INN
IN TWO VOLUMES
LONDON
PRINTED BY J. JOHNSON, ST. PAUL'S CHURCH-YARD
1807

VOL. I.
LONDON
PRINTED BY J. JOHNSON, ST. PAUL'S CHURCH-YARD
1807

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 7 to
Com Rec L13.2

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YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Claggett	•		Key		•	Robey, F. C.		
Tawes		•	• Clarke, E. J.			Kiefer		•	• Robie, K. L.		
• Clark, J.			Cleveland			• Kirkland			• Rollins		
• James			Dabrowski			Koger	•		• Rosenstock		
Abramson		•	Darby	•		Kosakowski		•	• Rush		
Adkins		•	Della		•	• Koss			• Rybczynski		
• Anderson			Dorsey	•		Leitzel	•		Scanlan	•	
• Armor			Dukes	•		Linton	•		• Schloeder		
Bamberger		•	Dulany		•	Lord		•	Schneider		•
• Bard			Eckenrode		•	• Macdonald			Sherbow		•
Barrick	•		Finch		•	• Malkus			Sickles		•
Baumann	•		Fornos	•		• Marion			• Siewierski		
• Beachley			• Fox			Mason	•		• Singer		
Beall	•		Frederick	•		• Maurer			Smith, J. H.		
• Bennett			Freedlander		•	• Mentzer			• Smith, M. H.		
Blair		•	Gallagher		•	• Miller, B.			• Sollins		
• Boileau			Gilchrist		•	Miller, E. T.			Sosnowski		•
Borom	•		Gill		•	• Mitchell			• Soul		
• Bothe			Gleason		•	Morgan		•	Stern		•
Boyce			• Grant			Moser		•	Storm		•
Boyer	•		• Groh			Mosner		•	Sybert	•	
Boyles		•	• Grumbacher			• Mudd			Taylor, H. E.		
Bradshaw		•	• Gullett			Murphy	•		• Taylor, L.		
• Bryson			Hanson		•	Murray, D. S.			• Ulrich		
Burdette		•	Hardwick	•		• Murray, E. C.			• Vecera		
Burgess		•	Hargrove	•		• Needle			• Wagandt		
• Bushong			Harkness		•	• Neilson			• Webb		
Buzzell		•	Harris	•		• Neumann			Ritter		•
Byrnes		•	Henderson		•	Smith, A. W.			• Weidemeyer		
Caldwell		•	Hickman		•	• Pascal			Wheatley	•	
Cardin	•		Hopkins		•	Penniman		•	White		•
Carson		•	• Hostetter			Peters		•	Willis	•	
Case		•	Hutchinson		•	Powers		•	Willoner		•
• Chabot			Jett		•	Price	•		• Winslow		
• Child			Johnson		•	Pullen		•			
• Cicone			Kahl		•	Raley		•			

YEAS	N-V	NAYS
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3-R. 800	80 8
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 7 to L13-2
(Reconsidered)

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett	•		Key		•	Robey, F. C.		
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		
Clark, J.		•	Cleveland	•		Kirkland	•		Rollins		•
James		•	Dabrowski	•		Koger	•		Rosenstock		•
Abramson		•	Darby	•		Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss	•		Rybczynski		•
Anderson			Dorsey	•		Leitzel	•		Scanlan		•
Armor			Dukes	•		Linton		•	Schloeder		
Bamberger		•	Dulany		•	Lord		•	Schneider		
Bard			Eckenrode		•	Macdonald	•		Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos	•		Marion	•		Siewierski		
Beachley			Fox			Mason	•		Singer		
Beall	•		Frederick	•		Maurer			Smith, J. H.		
Bennett			Freedlander	•		Mentzer	•		Smith, M. H.		•
Blair		•	Gallagher	•		Miller, B.	•		Sollins		
Boileau			Gilchrist		•	Miller, E. T.			Sosnowski		•
Borom	•		Gill			Mitchell	•		Soul		•
Bothe			Gleason		•	Morgan		•	Stern	•	
Boyce			Grant	•		Moser		•	Storm		•
Boyer	•		Groh	•		Mosner		•	Sybert		•
Boyles			Grumbacher	•		Mudd	•		Taylor, H. E.		
Bradshaw		•	Gullett			Murphy	•		Taylor, L.		
Bryson			Hanson	•		Murray, D. S.		•	Ulrich		
Burdette		•	Hardwick	•		Murray, E. C.		•	Vecera		•
Burgess			Hargrove	•		Needle	•		Wagandt		
Bushong			Harkness		•	Neilson		•	Webb	•	
Buzzell		•	Harris			Neumann	•		Ritter		
Byrnes		•	Henderson		•	Smith, A. W.			Weidemeyer		•
Caldwell		•	Hickman		•	Pascal	•		Wheatley		•
Cardin	•		Hopkins		•	Penniman		•	White		
Carson		•	Hostetter		•	Peters		•	Willis	•	
Case		•	Hutchinson		•	Powers		•	Willoner		
Chabot			Jett		•	Price	•		Winslow		
Child		•	Johnson		•	Pullen		•			
Cicone		•	Kahl		•	Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	1 1	1 1
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4 4	4 4	4 4
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SEPT.	7
OCT.	8
NOV.	9
DEC.	0



Constitutional Convention

AMENDMENT NO. 8

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE GALLAGHER, CHAIRMAN OF THE
COMMITTEE ON THE LEGISLATIVE BRANCH

1 On page 4 Section 3.15 Form of Laws in
2 line 14 after the word "Assembly" insert
3 the following: ", except supplementary
4 appropriation laws,"; and in line 15
5 after the period insert the following
6 sentence: "All supplementary appropria-
7 tion laws shall be limited to the subject
8 of appropriations, the purpose or purposes
9 of which shall be clearly defined therein."
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Journal of the American Medical Association

Published Weekly

Vol. 100, No. 1, January 1, 1928

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend. 8 to
Com. Rec. L13-2

2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett ●			● Key			● Robey, F. C.		
● Tawes			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland			● Rollins		
● James			● Dabrowski			● Koger ●			● Rosenstock		
● Abramson			● Darby ●			● Kosakowski			● Rush		
● Adkins			● Della			● Koss ●			● Rybczynski		
● Anderson			● Dorsey ●			● Leitzel ●			● Scanlan		
● Armor			● Dukes ●			● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord			● Schneider		
● Bard			● Eckenrode			● Macdonald			● Sherbow		
● Barrick			● Finch			● Malkus ●			● Sickles		
● Baumann ●			● Fornos ●			● Marion			● Siewierski		
● Beachley			● Fox			● Mason ●			● Singer		
● Beall ●			● Frederick ●			● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer			● Smith, M. H.		
● Blair			● Gallagher			● Miller, B.			● Sollins		
● Boileau			● Gilchrist			● Miller, E. T.			● Sosnowski		
● Borom ●			● Gill			● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern ●		
● Boyce			● Grant			● Moser ●			● Storm ●		
● Boyer ●			● Groh			● Mosner			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett			● Murphy ●			● Taylor, L.		
● Bryson ●			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwick ●			● Murray, E. C.			● Vecera		
● Burgess			● Hargrove ●			● Needle			● Wagandt		
● Bushong			● Harkness			● Neilson			● Webb		
● Buzzell			● Harris ●			● Neumann			● Ritter ●		
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell			● Hickman			● Pascal			● Wheatley		
● Cardin ●			● Hopkins			● Penniman			● White		
● Carson			● Hostetter			● Peters			● Willis ●		
● Case			● Hutchinson			● Powers			● Willoner		
● Chabot			● Jett			● Price ●			● Winslow		
● Child			● Johnson			● Pullen					
● Cicone			● Kahl			● Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	1 1	1 1
2 2	2 2	2 2
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4 4	4 4	4 4
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DEC.	0



Constitutional Convention

AMENDMENT NO. 9

~~THE AMENDMENT~~ _____

To Committee Recommendation No. LB-2

BY DELEGATES KOSS, WINSLOW, WAGANDT

1 On page 2 following line 42 of Section 3.03a
2 Redistricting Procedure add this new section:

3
4 "Section 3. Congressional Redistricting

5
6 The State shall be redistricted for the elec-
7 tion of members of the House of Representatives
8 of the United States Congress following each
9 decennial federal census. The following re-
10 quirements shall be applicable to congressional
11 redistricting: (1) The districts shall be
12 composed of adjoining territory and be compact
13 in form. Natural boundaries and the boundaries
14 of political subdivisions shall be followed as
15 far as practicable. Each district shall not
16 exceed in population any other district by
17 more than fifteen percent. (2) The General
18 Assembly may provide by law for a redistrict-
19 ing commission to provide a plan for redistrict-
20 ing, such plan to be submitted to the General
21 Assembly. Upon petition of any registered
22 voter the Court of Appeals shall have original
23 jurisdiction to ~~renew~~ the plan of redistrict-
24 ing enacted by the General Assembly."

Review

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71H

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 9 to
Com. Rec. 413.2

2

EAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President		•	Clagett	•		Key		•	Robey, F. C.		
Tawes		•	Clarke, E. J.		•	Kiefer		•	Robie, K. L.		•
Clark, J.		•	Cleveland	•		Kirkland		•	Rollins		•
James	•		Dabrowski	•		Koger	•		Rosenstock		•
Abrams	•		Darby	•		Kosakowski		•	Rush		•
Adkins		•	Della		•	Koss	•		Rybczynski		
Anderson		•	Dorsey	•		Leitzel	•		Scanlan		•
Armor		•	Dukes	•		Linton		•	Schloeder		•
Bamberger		•	Dulany		•	Lord		•	Schneider		•
Bard			Eckenrode		•	Macdonald	•		Sherbow		•
Barrick		•	Finch		•	Malkus	•		Sickles		•
Baumann	•		Fornos		•	Marion	•		Siewierski		•
Beachley		•	Fox		•	Mason	•		Singer		•
Beall	•		Frederick	•		Maurer	•		Smith, J. H.		
Bennett			Freedlander		•	Mentzer	•		Smith, M. H.		•
Blair	•		Gallagher		•	Miller, B.	•		Sollins		•
Boileau		•	Gilchrist		•	Miller, E. J.	•		Sosnowski		•
Borom	•		Gill	•		Mitchell	•		Soul		•
Bothe			Gleason	•		Morgan		•	Stern	•	
Boyce			Grant	•		Moser		•	Storm		•
Boyer	•		Groh	•		Mosner	•		Sybert		•
Boyles			Grumbacher	•		Mudd	•		Taylor, H. E.		•
Bradshaw		•	Gullett	•		Murphy	•		Taylor, L.		•
Bryson		•	Hanson	•		Murray, D. S.		•	Ulrich		•
Burdette		•	Hardwick	•		Murray, E. C.		•	Vecera		•
Burgess		•	Hargrove	•		Needle	•		Wagandt		•
Bushong		•	Harkness		•	Neilson		•	Webb	•	
Buzzell		•	Harris	•		Neumann		•	Ritter	•	
Byrnes			Henderson		•	Smith, A. W.			Weidemeyer		•
Caldwell		•	Hickman		•	Pascal	•		Wheatley		•
Cardin	•		Hopkins		•	Penniman		•	White		•
Carson		•	Hostetter		•	Peters		•	Willis	•	
Case		•	Hutchinson		•	Powers		•	Willoner		•
Chabot			Jett	•		Price	•		Winslow		•
Child		•	Johnson		•	Pullen					
Cicone		•	Kahl		•	Raley		•			

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
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5 5	5 5	5 5		60 6	4
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			MOT. 000		NOV. 9
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Y

Constitutional Convention

AMENDMENT NO. 10

~~XXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE ADKINS

1 On page 1 Section 3.02 Legislative Districts
2 in line 20 after the period add the following
3 new sentence:

4
5 "No district shall cross the center of the
6 Chesapeake Bay."
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Witherham

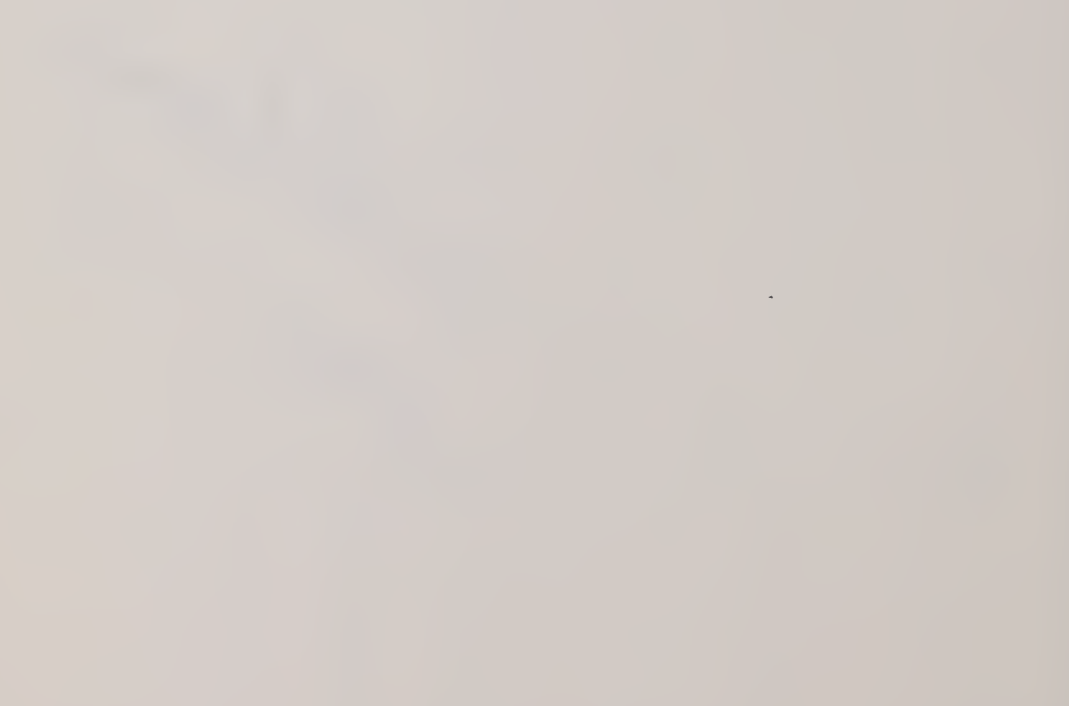
THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY
JAMES CLAYTON

LONDON:
PRINTED BY J. STURGEON, ST. MARTIN'S LANE, 1772.



AB

Constitutional Convention

AMENDMENT NO. 11

~~TO AMENDMENT NO. 11~~

To Committee Recommendation No. LB-2

BY DELEGATES GALLAGHER, JAMES

1 On page 2 Section 3.03a Redistricting
2 Procedure in line 30 strike out the numerals
3 "50" and insert in lieu thereof the word
4 "seventy".
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International Convention

for the Protection of the Rights of the Child

Adopted by the General Assembly of the United Nations on 20 November 1989

Article 1

For the purposes of the present Convention, the word "child" shall mean every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.

Article 2

States Parties shall ensure that the rights set forth in the present Convention are applied without discrimination, of any kind, including race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 3

All actions concerning children shall be taken in the best interests of the child.

Article 4

States Parties shall undertake all appropriate legislative, administrative, judicial and other measures for the implementation of the rights recognized in the present Convention.

Article 5

States Parties shall ensure the fulfilment of the rights recognized in the present Convention to the child through legislative, judicial, administrative, educational and other measures.

Article 6

The rights recognized in the present Convention shall be interpreted and applied in a manner which promotes the best interests of the child.

Article 7

The rights recognized in the present Convention shall be applied in a manner which promotes the best interests of the child.

Article 8

States Parties shall ensure that the child is registered at birth.

Article 9

States Parties shall ensure that the child is registered at birth.

Article 10

States Parties shall ensure that the child is registered at birth.

Article 11

States Parties shall ensure that the child is registered at birth.

Article 12

States Parties shall ensure that the child is registered at birth.

Article 13

States Parties shall ensure that the child is registered at birth.

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 11 to
Com Rec LB-2

2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett	●		● Key			● Robey, F. C.		
● Tawes			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland		●	● Rollins	●	
● James			● Dabrowski			● Kozer	●		● Rosenstock		
● Abramso	●		● Darby	●		● Kosakowski			● Rush	●	
● Adkins			● Della			● Koss	●		● Rybczynski		
● Anderson			● Dorsey	●		● Leitzel	●		● Scanlan		
● Armor			● Dukes	●		● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord			● Schneider	●	
● Bard			● Eckenrode			● Macdonald			● Sherbow		
● Barrick			● Finch			● Malkus	●		● Sickles		
● Baumann	●		● Fornos			● Marion		●	● Siewierski		●
● Beachley			● Fox			● Mason	●		● Singer		
● Beall	●		● Frederick	●		● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer	●		● Smith, M. H.		
● Blair	●		● Gallagher			● Miller, B.			● Sollins	●	
● Boileau			● Gilchrist			● Miller, E. C.			● Sosnowski		
● Borom	●		● Gill			● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern	●	
● Boyce			● Grant			● Moser	●		● Storm	●	
● Boyer	●		● Groh			● Mosner	●		● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett			● Murphy	●		● Taylor, L.		
● Bryson			● Hanson	●		● Murray, D. S.			● Ulrich		
● Burdette			● Hardwick	●		● Murray, E. C.			● Vecera		
● Burgess	●		● Hargrove	●		● Needle	●		● Wagandt		
● Bushong	●		● Harkness			● Neilson			● Webb		
● Buzzell			● Harris			● Neumann			● Ritter	●	
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell			● Hickman			● Pascal			● Wheatley	●	
● Cardin	●		● Hopkins	●		● Penniman			● White		
● Carson			● Hostetter	●		● Peters			● Willis	●	
● Case			● Hutchinson			● Powers			● Willoner		
● Chabot	●		● Jett			● Price	●		● Winslow		
● Child			● Johnson			● Pullen	●				
● Cicone			● Kahl			● Raley					

YEAS	N-V	NAYS
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2 2	2 2	2 2
3 3	3 3	3 3 ●
4 4	4 4	4 4
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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



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Constitutional Convention

AMENDMENT NO. 12

~~FOR APPROVAL BY THE PEOPLE~~ _____

To Committee Recommendation No. LB-2

BY DELEGATE DULANY

1 On page 1 Section 3.02 Legislative Districts
2 line 20, after the period insert the following
3 sentence:
4
5 "To the extent practicable, no county shall be
6 divided so as to comprise only a part of more
7 than one Senate district nor so as to comprise
8 only a part of more than one Delegate district."
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THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS 60637

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Constitutional Convention

AMENDMENT NO. 13

~~To Amend~~ No. _____

To Committee Recommendation No. LB-2

BY DELEGATE GALLAGHER

1 On page 1 Section 3.02 Legislative Districts
 2 in line 18 strike out the word "Natural" and
 3 insert in lieu thereof the words "Due regard
 4 shall be given to natural"; and in line 19
 5 place a period after the word "subdivisions"
 6 and strike out all of line 20.

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THE HISTORY OF THE

1789

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Constitutional Convention

AMENDMENT NO. 14

To Accompany Minority Report LB-2 (A)
~~To Amend XXXXX No. _____~~

To Committee Recommendation No. LB-2

BY DELEGATES GILCHRIST, LINTON,
CLARK, DELLA

1 On page 3 Section 3.13 Organization of
2 General Assembly in lines 34 and 35, lines
3 43 and 44, and line 46, respectively, in each
4 instance strike out the following: "present
5 and voting, a quorum being present".
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 14 to
Com Rec LB-2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President			Claggett			Key			Robey, F. C.		
Tawes			Clarke, E. J.			Kiefer			Robie, K. L.		
Clark, J.			Cleveland			Kirkland			Rollins		
James			Dabrowski			Kozer			Rosenstock		
Abramson			Darby			Kosakowski			Rush		
Adkins			Della			Koss			Rybczynski		
Anderson			Dorsey			Leitzel			Scanlan		
Armor			Dukes			Linton			Schloeder		
Bamberger			Dulany			Lord			Schneider		
Bard			Eckenrode			Macdonald			Sherbow		
Barrick			Finch			Malkus			Sickles		
Baumann			Fornos			Marion			Siewierski		
Beachley			Fox			Mason			Singer		
Beall			Frederick			Maurer			Smith, J. H.		
Bennett			Freedlander			Mentzer			Smith, M. H.		
Blair			Gallagher			Miller, B.			Sollins		
Boileau			Gilchrist			Miller, E. J.			Sosnowski		
Borom			Gill			Mitchell			Soul		
Bothe			Gleason			Morgan			Stern		
Boyce			Grant			Moser			Storm		
Boyer			Groh			Mosner			Sybert		
Boyles			Grumbacher			Mudd			Taylor, H. E.		
Bradshaw			Gullett			Murphy			Taylor, L.		
Bryson			Hanson			Murray, D. S.			Ulrich		
Burdette			Hardwicke			Murray, E. C.			Vecera		
Burgess			Hargrove			Needle			Wagandt		
Bushong			Harkness			Neilson			Webb		
Buzzell			Harris			Neumann			Ritter		
Byrnes			Henderson			Smith, A. W.			Weidemeyer		
Caldwell			Hickman			Pascal			Wheatley		
Cardin			Hopkins			Penniman			White		
Carson			Hostetter			Peters			Willis		
Case			Hutchinson			Powers			Willoner		
Chabot			Jett			Price			Winslow		
Child			Johnson			Pullen					
Cicone			Kahl			Raley					

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YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
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3-R. 800	80 8
QUO. 900	90 9
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OCT. 8	
NOV. 9	
DEC. 0	



AD

Constitutional Convention

AMENDMENT NO. 15

To Accompany Minority Report LB-2 (A)
~~To Amend Article~~ _____

To Committee Recommendation No. LB-2

BY DELEGATES GILCHRIST, LINTON,
CLARK, DELLA

1 On page 4 Section 3.16 Consideration of Bills
2 in lines 39 and 40 strike out the following:
3 "present and voting, a quorum being present,".
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TOP SECRET

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 15 to
Com Rec L13-2

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YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• President			• Clagett			• Key			• Robey, F. C.		
• Tawes			• Clarke, E. J.			• Kiefer	•		• Robie, K. L.		
• Clark, J.			• Cleveland	•		• Kirkland			• Rollins	•	
• James			• Dabrowski			• Kozer	•		• Rosenstock		
• Abramson			• Darby			• Kosakowski			• Rush		
• Adkins			• Della			• Koss			• Rybczynski		
• Anderson			• Dorsey	•		• Leitzel			• Scanlan		
• Armor			• Dukes			• Linton			• Schloeder	•	
• Bamberger			• Dulany			• Lord			• Schneider		
• Bard			• Eckenrode			• Macdonald			• Sherbow		
• Barrick			• Finch			• Malkus	•		• Sickles		
• Baumann			• Fornos			• Marion			• Siewierski		
• Beachley			• Fox			• Mason			• Singer		
• Beall			• Frederick			• Maurer			• Smith, J. H.		
• Bennett			• Freedlander			• Mentzer			• Smith, M. H.		
• Blair			• Gallagher			• Miller, B.			• Sollins		
• Boileau			• Gilchrist			• Miller, E. J.			• Sosnowski	•	
• Borom			• Gill			• Mitchell			• Soul		
• Bothe			• Gleason			• Morgan			• Stern		
• Boyce <i>Aye</i>			• Grant			• Moser			• Storm		
• Boyer			• Groh			• Mosner			• Sybert		
• Boyles			• Grumbacher			• Mudd			• Taylor, H. E.		
• Bradshaw			• Gullett	•		• Murphy			• Taylor, L.		
• Bryson			• Hanson			• Murray, D. S.			• Ulrich		
• Burdette			• Hardwicke			• Murray, E. C.			• Vecera		
• Burgess	•		• Hargrove			• Needle			• Wagandt		
• Bushong	•		• Harkness			• Neilson			• Webb		
• Buzzell			• Harris			• Neumann			• Ritter		
• Byrnes			• Henderson			• Smith, A. W.			• Weidemeyer		
• Caldwell			• Hickman			• Pascal			• Wheatley		
• Cardin			• Hopkins			• Penniman			• White		
• Carson	•		• Hostetter			• Peters			• Willis		
• Case			• Hutchinson			• Powers			• Willoner		
• Chabot			• Jett			• Price			• Winslow	•	
• Child			• Johnson			• Pullen					
• Cicone	•		• Kahl			• Raley					

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YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			JAN. 2
0 0	0 0	0 0	1000 100	10 1	3
1 1	1 1	1 1	2000 200	20 2	1
2 2	2 2	2 2	3000 300	30 3	2
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5 5	5 5	5 5	RESO. 600	60 6	5
6 6	6 6	6 6	2-R. 700	70 7	6
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8 8	8 8	8 8	QUO. 900	90 9	OCT. 8
9 9	9 9	9 9	MOT. 000	00 0	NOV. 9
					DEC. 0



Constitutional Convention

AMENDMENT NO. 16

To Accompany Minority Report LB-2 (A)

~~To Amend~~ No. _____

To Committee Recommendation No. LB-2

BY DELEGATES GILCHRIST, LINTON,
CLARK, DELLA

1 On page 5 Section 3.17 Journal and Passage of
2 Bills in lines 14 and 15 strike out the follow-
3 ing:

4
5 "present and voting, a quorum being present".

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Constitutional Convention

AMENDMENT NO. 16

~~XXXXXXXXXXXXXXXXXXXX~~
~~To Amendment No. XXXXXX~~

To Committee Recommendation No. _____

BY DELEGATE GALLAGHER, FRANCIS X.
CHAIRMAN, COMMITTEE ON LEGISLATIVE
BRANCH

1 On page 2 line 28 of Committee Recommendation
2 LB-1 in between the words "redistricting." and
3 "To" add the following sentence:

4
5 No person shall seek election to or be
6 appointed to more than one seat in the General
7 Assembly at a time.

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Journal of the American Medical Association

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Volume 60, Number 1, January 1918

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Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

Report on the Proceedings of the Annual Meeting of the American Medical Association, 1917 (Continued)

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 16 to
Com Rec. LB-2

2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett			● Key			● Robey, F. C.		
● Tawes			● Clarke, E. J.			● Kiefer	●		● Robie, K. L.		
● Clark, J.			● Cleveland	●		● Kirkland			● Rollins	●	
● James			● Dabrowski			● Kozer	●		● Rosenstock		
● Abramson			● Darby			● Kosakowski			● Rush		
● Adkins			● Della			● Koss	●		● Rybczynski		
● Anderson			● Dorsey	●		● Leitzel			● Scanlan		
● Armor			● Dukes			● Linton			● Schloeder	●	
● Bamberger	●		● Dulany			● Lord			● Schneider		
● Bard			● Eckenrode			● Macdonald			● Sherbow		
● Barrick			● Finch			● Malkus	●		● Sickles	●	
● Baumann			● Fornos			● Marion		●	● Siewierski		
● Beachley			● Fox		●	● Mason			● Singer		
● Beall			● Frederick			● Maurer			● Smith, J. H.		
● Bennett	●		● Freedlander			● Mentzer			● Smith, M. H.		
● Blair			● Gallagher			● Miller, B.		●	● Sollins	●	
● Boileau			● Gilchrist			● Miller, E. T.			● Sosnowski		
● Borom	●		● Gill	●		● Mitchell			● Soul		
● Bothe	●		● Gleason			● Morgan			● Stern		
● Boyce	● Aye		● Grant			● Moser			● Storm		
● Boyer	●		● Groh	●		● Mosner			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett	●		● Murphy			● Taylor, L.	●	
● Bryson			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwicke			● Murray, E. C.			● Vecera		
● Burgess	●		● Hargrove			● Needle			● Wagandt		
● Bushong	●		● Harkness			● Neilson			● Webb		
● Buzzell			● Harris			● Neumann			● Ritter		
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell			● Hickman			● Pascal		●	● Wheatley	●	
● Cardin			● Hopkins			● Penniman			● White		
● Carson	●		● Hostetter			● Peters			● Willis		
● Case			● Hutchinson			● Powers			● Willoner		
● Chabot			● Jett			● Price			● Winslow	●	
● Child			● Johnson			● Pullen					
● Cicone	●		● Kahl			● Raley					

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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DEL. PRO.	COM. REC.
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3000	300
4000	400
	500
RESO.	600
2-R.	700
3-R.	800
QUO.	900
MOT.	000

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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



AH

Constitutional Convention

AMENDMENT NO. 17

~~To Amend the Constitution~~

To Committee Recommendation No. LB-2

BY DELEGATE GALLAGHER

1 On page 4 Section 3.16 Consideration of
2 Bills in line 33 strike out the words
3 "shall be prepared in final form" and in-
4 sert in lieu thereof the following words
5 "and all amendments shall be in writing".
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Constitutional Convention

January 18, 1890

At a meeting of the Constitutional Convention, held at the

City of New York, on

the 18th day of January, 1890,

present, the following members of the Convention:

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

Mr. [Name], Mr. [Name],

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 17 to
Com Rec LB-2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett			● Key			● Robey, F. C.		
● Tawes			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland			● Rollins		
● James			● Dabrowski			● Koger			● Rosenstock		
● Abramson			● Darby			● Kosakowski			● Rush		
● Adkins			● Della			● Koss			● Rybczynski		
● Anderson			● Dorsey	●		● Leitzel			● Scanlan		
● Armor			● Dukes			● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord			● Schneider		
● Bard			● Eckenrode			● Macdonald			● Sherbow		
● Barrick			● Finch			● Malkus	●		● Sickles		
● Baumann			● Fornos	●		● Marion			● Siewierski		
● Beachley			● Fox			● Mason			● Singer		
● Beall	●		● Frederick			● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer			● Smith, M. H.		
● Blair			● Gallagher			● Miller, B.			● Sollins		
● Boileau			● Gilchrist			● Miller, E. J.			● Sosnowski		
● Borom			● Gill			● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern	●	
● Boyce	Aye		● Grant			● Moser			● Storm		
● Boyer			● Groh			● Mosner			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett	●		● Murphy	●		● Taylor, L.		
● Bryson			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwicke			● Murray, E. C.			● Vecera		
● Burgess			● Hargrove			● Needle			● Wagandt		
● Bushong	●		● Harkness			● Neilson			● Webb		
● Buzzell			● Harris	●		● Neumann			● Ritter		
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell			● Hickman			● Pascal			● Wheatley		
● Cardin			● Hopkins			● Penniman			● White		
● Carson	●		● Hostetter			● Peters			● Willis		
● Case			● Hutchinson			● Powers			● Willoner		
● Chabot	●		● Jett			● Price	●		● Winslow	●	
● Child			● Johnson			● Pullen					
● Cicone	●		● Kahl			● Raley					

109-0

YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
7 7	7 7	7 7
8 8	8 8	8 8
9 9	9 9	9 9

DEL. PRO.	COM. REC.	DATE:
1000 100	10 1	JAN. 2
2000 200	20 2	3
3000 300	30 3	1
4000 400	40 4	2
	50 5	3
RESO. 600	60 6	4
2-R. 700	70 7	5
3-R. 800	80 8	6
QUO. 900	90 9	SEPT. 7
MOT. 000	00 0	OCT. 8
		NOV. 9
		DEC. 0



Constitutional^N Convention

AMENDMENT NO. 18

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE . GALLAGHER, CHAIRMAN of the
Committee on the Legislative Branch

1 On page 5 Section 3.17 Journal and Passage
2 of Bills in line 4 immediately preceding the
3 word "daily" add the word "current",
4
5 and in the same line after the word "proceedings"
6 add the words ", which shall be open to public
7 inspection at all reasonable times,".
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Journal of the American Medical Association

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 18 to
Com. Rec. L13-2

2

YEAS	N-V	NAYS
• President		
• Tawes		
• Clark, J.		
• James	•	
• Abramson		
• Adkins		
• Anderson		
• Armor		
• Bamberger		
• Bard		
• Barrick		
• Baumann		
• Beachley		
• Beall	•	
• Bennett		
• Blair		
• Boileau		
• Borom		
• Bothe		•
• Boyce	Aye	
• Boyer		
• Boyles		
• Bradshaw		
• Bryson		
• Burdette		
• Burgess		
• Bushong	•	
• Buzzell		
• Byrnes		
• Caldwell		
• Cardin		
• Carson	•	
• Case		
• Chabot		
• Child		
• Cicone	•	

YEAS	N-V	NAYS
• Clagett		
• Clarke, E. J.		
• Cleveland	•	
• Dabrowski		
• Darby		
• Della		
• Dorsey	•	
• Dukes	•	
• Dulany		
• Eckenrode		
• Finch		
• Fornos		
• Fox		
• Frederick		
• Freedlander		
• Gallagher		
• Gilchrist		
• Gill		
• Gleason		
• Grant		
• Groh		
• Grumbacher		
• Gullett	•	
• Hanson		
• Hardwicke		
• Hargrove		
• Harkness		
• Harris	•	
• Henderson		
• Hickman		
• Hopkins		
• Hostetter		
• Hutchinson		
• Jett		
• Johnson		
• Kahl		

YEAS	N-V	NAYS
• Key		
• Kiefer		
• Kirkland		
• Kozer	•	
• Kosakowski		
• Koss		
• Leitzel		
• Linton		
• Lord		
• Macdonald		
• Malkus	•	
• Marion		
• Mason	•	
• Maurer		
• Mentzer		
• Miller, B.		
• Miller, E. J.		
• Mitchell		
• Morgan		
• Moser	•	
• Mosner		
• Mudd		
• Murphy		
• Murray, D. S.		
• Murray, E. C.		
• Needle		
• Neilson		
• Neumann		
• Smith, A. W.		
• Pascal		
• Penniman		
• Peters		
• Powers		
• Price	•	
• Pullen	•	
• Raley		

YEAS	N-V	NAYS
• Robey, F. C.		
• Robie, K. L.		
• Rollins		
• Rosenstock		
• Rush		
• Rybczynski		
• Scanlan		
• Schloeder	•	
• Schneider		
• Sherbow		
• Sickles		
• Siewierski		
• Singer		
• Smith, J. H.		
• Smith, M. H.		
• Sollins		
• Sosnowski	•	
• Soul		
• Stern		
• Storm		
• Sybert		
• Taylor, H. E.		
• Taylor, L.		
• Ulrich		
• Vecera		
• Wagandt		
• Webb		
• Ritter		
• Weidemeyer		
• Wheatley		
• White		
• Willis		
• Willoner		
• Winslow	•	

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YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
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8 8	8 8	8 8
9 9	9 9	9 9

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4000 400	40 4
	50 5
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2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
MOT. 000	00 0

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SEPT. 7	
OCT. 8	
NOV. 9	
DEC. 0	



Constitutional Convention

AMENDMENT NO. 19

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To Committee Recommendation No. LB-2

BY DELEGATES SHERBOW AND CASE

1 On page 5 Section 3.17 Journal and Passage of
 2 Bills in line 16 after the word "resolution"
 3 add the words:

4
 5 "or for the election or confirmation of any
 6 State officer".

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102-A
 24-N

Technical
report

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend. 19 to 2
Com. Rec L13-2

YEAS	N-V	NAYS
President		
Tawes		
Clark, J.		
James		
Abramson		
Adkins		
Anderson		
Armor		
Bamberger		
Bard		
Barrick		
Baumann		
Beachley		
Beall		
Bennett		
Blair		
Boileau		
Borom		
Bothe		
Boyce		
Boyer		
Boyles		
Bradshaw		
Bryson		
Burdette		
Burgess		
Bushong		
Buzzell		
Byrnes		
Caldwell		
Cardin		
Carson		
Case		
Chabot		
Child		
Cicone		

YEAS	N-V	NAYS
Claggett		
Clarke, E. J.		
Cleveland		
Dabrowski		
Darby		
Della		
Dorsey		
Dukes		
Dulany		
Eckenrode		
Finch		
Fornos		
Fox		
Frederick		
Freedlander		
Gallagher		
Gilchrist		
Gill		
Gleason		
Grant		
Groh		
Grumbacher		
Gullett		
Hanson		
Hardwicke		
Hargrove		
Harkness		
Harris		
Henderson		
Hickman		
Hopkins		
Hostetter		
Hutchinson		
Jett		
Johnson		
Kahl		

YEAS	N-V	NAYS
Key		
Kiefer		
Kirkland		
Koqer		
Kosakowski		
Koss		
Leitzel		
Linton		
Lord		
Macdonald		
Malkus		
Marion		
Mason		
Maurer		
Mentzer		
Miller, B.		
Miller, E. J.		
Mitchell		
Morgan		
Moser		
Mosner		
Mudd		
Murphy		
Murray, D. S.		
Murray, E. C.		
Needle		
Neilson		
Neumann		
Smith, A. W.		
Pascal		
Penniman		
Peters		
Powers		
Price		
Pullen		
Raley		

YEAS	N-V	NAYS
Robey, F. C.		
Robie, K. L.		
Rollins		
Rosenstock		
Rush		
Rybczynski		
Scanlan		
Schloeder		
Schneider		
Sherbow		
Sickles		
Siewierski		
Singer		
Smith, J. H.		
Smith, M. H.		
Sollins		
Sosnowski		
Soul		
Stern		
Storm		
Sybert		
Taylor, H. E.		
Taylor, L.		
Ulrich		
Vecera		
Wagandt		
Webb		
Ritter		
Weidemeyer		
Wheatley		
White		
Willis		
Willoner		
Winslow		

YEAS		N-V		NAYS	
102	100-200	100-200	100-200	24	100-200
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RESO.	600
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3-R.	800
QUO.	900
MOT.	000

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SEPT.	7
OCT.	8
NOV.	9
DEC.	0



Constitutional^T Convention

AMENDMENT NO. 20

~~TO AMENDMENT NO. _____~~

To Committee Recommendation No. LB-2

BY DELEGATE JAMES

1 On page 5 Section 3.17 Journal and Passage of
2 Bills in lines 7, 8, 9, and 10 strike out the
3 sentence beginning with the words "All final"
4 in line 7 down to and including the word
5 "house." in line 10.

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49-50 A

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transcript

Hay Gault

bonanza for
Cmnd Henry

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 20 to
Com. Rec. LB 2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
President			Clagett			Key			Robey, F. C.		
Tawes			Clarke, E. J.			Kiefer			Robie, K. L.		
Clark, J.			Cleveland			Kirkland			Rollins		
James			Dabrowski			Kozer			Rosenstock		
Abramson			Darby			Kosakowski			Rush		
Adkins			Della			Koss			Rybczynski		
Anderson			Dorsey			Leitzel			Scanlan		
Armor			Dukes			Linton			Schloeder		
Bamberger			Dulany			Lord			Schneider		
Bard			Eckenrode			Macdonald			Sherbow		
Barrick			Finch			Malkus			Sickles		
Baumann			Fornos			Marion			Siewierski		
Beachley			Fox			Mason			Singer		
Beall			Frederick			Maurer			Smith, J. H.		
Bennett			Freedlander			Mentzer			Smith, M. H.		
Blair			Gallagher			Miller, B.			Sollins		
Boileau			Gilchrist			Miller, E. J.			Sosnowski		
X Borom	Nay		Gill			Mitchell			Soul		
Bothe	Nay		Gleason			Morgan			Stern		
Boyce			Grant			Moser			Storm		
Boyer			Groh			Mosner			Sybert		
Boyles			Grumbacher			Mudd			Taylor, H. E.		
Bradshaw			Gullett			Murphy			Taylor, L.		
Bryson			Hanson			Murray, D. S.			Ulrich		
Burdette			Hardwicke			Murray, E. C.			Vecera		
Burgess			Hargrove			Needle			Wagandt		
Bushong			Harkness			Neilson			Webb		
Buzzell			Harris			Neumann			Ritter		
Byrnes			Henderson			Smith, A. W.			Weidemeyer		
Caldwell			Hickman			Pascal			Wheatley		
Cardin			Hopkins			Penniman			White		
Carson			Hostetter			Peters			Willis		
Case			Hutchinson			Powers			Willoner		
Chabot			Jett			Price			Winslow		
Child			Johnson			Pullen					
Cicone			Kahl			Raley					

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YEAS	N-V	NAYS
100-200	100-200	100-200
0 0	0 0	0 0
1 1	1 1	1 1
2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
5 5	5 5	5 5
6 6	6 6	6 6
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DEL. PRO.	COM. REC.	DATE:
1000 100	10 1	JAN. 2
2000 200	20 2	3
3000 300	30 3	1
4000 400	40 4	2
	50 5	3
RESO. 600	60 6	4
2-R. 700	70 7	5
3-R. 800	80 8	6
QUO. 900	90 9	SEPT. 7
MOT 000	00 0	OCT. 8
		NOV. 9
		DEC. 0



Constitutional Convention

AMENDMENT NO. 21

~~XXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE James

1 On page 5, Section 3.17 Journal and Passage
 2 of Bills in lines 4 and 5 strike out the words
 3 "and a transcript of its debates";
 4
 5 and in line 6 strike out the words "the
 6 transcript" and insert in lieu thereof the word
 7 "it".

Withdrawn
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THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, near St. Dunstons Church

1679

By Authority

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, near St. Dunstons Church

Constitutional Convention

AMENDMENT NO. 23

~~To Amend the Constitution~~

To Committee Recommendation No. LB-2

BY DELEGATE GALLAGHER

1 On page 4 Section 3.16 Consideration of
2 Bills in line 33 strike the period and insert
3 in lieu thereof the following: ", nor shall
4 any"; and in line 34 strike the word "No";
5 and in the same line strike out the word
6 "shall".

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THE JOURNAL OF THE ROYAL ANTHROPOLOGICAL INSTITUTE

Volume 100, Part 1, 2000

Published by the Royal Anthropological Institute of Great Britain and France

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Constitutional Convention

AMENDMENT NO. 24

To Accompany Minority Report LB-2 (B)

~~TO AMENDMENT NO. XXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATES SCANLAN, DELLA, GILCHRIST,
LINTON, PETERS

- 1 On page 5 strike out all of Section 3.18
- 2 Conflict of Interest comprising lines 23
- 3 through 28, inclusive.
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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 24 to
Com Rec LB-2

YEAS	N-V	NAYS
President		•
Tawes	•	
Clark, J.		•
James		•
Abramson	•	
Adkins	•	
Anderson	•	
Armor	•	
Bamberger		•
Bard	•	
Barrick	•	
Baumann		•
Beachley		•
Beall		•
Bennett		•
Blair	•	
Boileau		•
Borom		•
Bothe		•
Boyce		•
Boyer		•
Boyles		•
Bradshaw		•
Bryson		•
Burdette		•
Burgess		•
Bushong		•
Buzzell		•
Byrnes		•
Caldwell	•	
Cardin		•
Carson		•
Case	•	
Chabot		•
Child		•
Cicone	•	

YEAS	N-V	NAYS
Claquett		•
Clarke, E. J.		•
Cleveland	•	
Dabrowski		•
Darby	•	
Della	•	
Dorsey	•	
Dukes		•
Dulany		•
Eckenrode		•
Finch		•
Fornos		•
Fox		•
Frederick		•
Freedlander		•
Gallagher		•
Gilchrist		•
Gill		•
Gleason		•
Grant		•
Groh	•	
Grumbacher		•
Gullett	•	
Hanson		•
Hardwicke		•
Hargrove		•
Harkness		•
Harris		•
Henderson	•	
Hickman		•
Hopkins		•
Hostetter		•
Hutchinson		•
Jett		•
Johnson		•
Kahl		•

YEAS	N-V	NAYS
Key	•	
Kiefer		•
Kirkland		•
Koger		•
Kosakowski		•
Koss		•
Leitzel		•
Linton		•
Lord	•	
Macdonald		•
Malkus	•	
Marion		•
Mason		•
Maurer		•
Mentzer		•
Miller, B.		•
Miller, E. B.		•
Mitchell		•
Morgan		•
Moser		•
Mosner	•	
Mudd		•
Murphy	•	
Murray, D. S.		•
Murray, E. C.		•
Needle		•
Neilson		•
Neumann		•
Smith, A. W.		•
Pascal		•
Penniman		•
Peters		•
Powers		•
Price	•	
Pullen		•
Raley		•

YEAS	N-V	NAYS
Robey, F. C.		•
Robie, K. L.		•
Rollins	•	
Rosenstock		•
Rush	•	
Rybczynski	•	
Scanlan		•
Schloeder		•
Schneider		•
Sherbow		•
Sickles	•	
Siewierski		•
Singer		•
Smith, J. H.		•
Smith, M. H.		•
Sollins		•
Sosnowski		•
Soul		•
Stern		•
Storm		•
Sybert		•
Taylor, H. E.		•
Taylor, L.		•
Ulrich	•	
Vecera		•
Wagandt		•
Webb		•
Ritter		•
Weidemeyer		•
Wheatley	•	
White		•
Willis		•
Willoner		•
Winslow		•

YEAS	N-V	NAYS
100-200	100-200	100-200
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1 1	1 1	1 1
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4 4	4 4	4 4
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8 8	8 8	8 8
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DEL. PRO.	COM. REC.
1000 100	10 1
2000 200	20 2
3000 300	30 3
4000 400	40 4
	500 5
RESO. 600	60 6
2-R. 700	70 7
3-R. 800	80 8
QUO. 900	90 9
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SEPT. 7
OCT. 8
NOV. 9
DEC. 0



Constitutional Convention

AMENDMENT NO. 25

~~TO AMENDMENT NO. _____~~

To Committee Recommendation No. LB-2

BY DELEGATE MOSER.

1 On page 5 Section 3.17a Special Legislation
2 in line 38 after the word "applicable" strike
3 out the comma and the rest of sentence in lines
4 38 through 40, inclusive.
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THE JOURNAL OF THE

ROYAL SOCIETY OF MEDICINE

Volume 100, Part 1, January 2007

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CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 25 to
Com Rec LB-2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett			● Key			● Robey, F. C.		
● Tawes ●			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland			● Rollins ●		
● James			● Dabrowski			● Koger			● Rosenstock		
● Abramso			● Darby			● Kosakowski			● Rush ●		
● Adkins ●			● Della ●			● Koss			● Rybczynski		
● Anderson			● Dorsey			● Leitzel			● Scanlan		
● Armor ●			● Dukes			● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord ●			● Schneider		
● Bard ●			● Eckenrode			● Macdonald			● Sherbow		
● Barrick ●			● Finch			● Malkus ●			● Sickles ●		
● Baumann			● Fornos			● Marion			● Siewierski		
● Beachley			● Fox ●			● Mason			● Singer ●		
● Beall			● Frederick			● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer ●			● Smith, M. H.		
● Blair ●			● Gallagher			● Miller, B.			● Sollins		
● Boileau			● Gilchrist			● Miller, E. ●			● Sosnowski		
● Borom			● Gill			● Mitchell ●			● Soul		
● Bothe			● Gleason			● Morgan			● Stern		
● Boyce			● Grant			● Moser			● Storm ●		
● Boyer			● Groh ●			● Mosner ●			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett ●			● Murphy ●			● Taylor, L.		
● Bryson			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwick			● Murray, E. C.			● Vecera		
● Burgess			● Hargrove			● Needle			● Wagandt		
● Bushong			● Harkness			● Neilson			● Webb		
● Buzzell			● Harris			● Neumann			● Ritter		
● Byrnes			● Henderson			● Smith, A. ● W.			● Weidemeyer		
● Caldwell ●			● Hickman			● Pascal			● Wheatley		
● Cardin			● Hopkins			● Penniman			● White		
● Carson			● Hostetter			● Peters ●			● Willis		
● Case ●			● Hutchinson			● Powers			● Willoner		
● Chabot			● Jett			● Price ●			● Winslow		
● Child			● Johnson			● Pullen					
● Cicone ●			● Kahl			● Raley ●					

YEAS	N-V	NAYS	DEL. PRO.	COM. REC.	DATE:
100-200	100-200	100-200			1
0 0	0 0	0 0	1000 100	10 1	JAN. 2
1 1	1 1	1 1	2000 200	20 2	3
2 2	2 2	2 2	3000 300	30 3	1
3 3	3 3	3 3	4000 400	40 4	2
4 4	4 4	4 4	500	50 5	3
5 5	5 5	5 5	RESO. 600	60 6	4
6 6	6 6	6 6	2-R. 700	70 7	5
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9 9	9 9	9 9	MOT. 000	00 0	OCT. 8
					NOV. 9
					DEC. 0



Constitutional Convention

AMENDMENT NO. 26

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-2

BY DELEGATE GRANT

Following line 47 of Section 3.17b.
Effective Date of Laws add the following
new section:

"Section 3. Compilation of Laws
The General Assembly shall provide by
law for the establishment of a uniform sys-
tem of compilation of any statute, resolution,
rule, regulation, ordinance, order, procla-
mation, or any other action by any unit
of government having the force of law and
for their publication. Unless otherwise
provided by law, no action having the force
of law shall be effective until it shall
have been made a part of such compilation
and published."

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Confidential Information

Page 1 of 1

Version 1.0

Document ID: 12345

Classification: Confidential

Author: John Doe

Date: 10/26/2023

Subject: Project X - Confidential Information

Summary: This document contains confidential information regarding Project X. It is intended for internal use only and should be handled with care.

Table 1: Project X Data	
Item 1	Value 1
Item 2	Value 2
Item 3	Value 3
Item 4	Value 4
Item 5	Value 5
Item 6	Value 6
Item 7	Value 7
Item 8	Value 8
Item 9	Value 9
Item 10	Value 10

Constitutional Convention

AMENDMENT NO. 27

~~To Amend the Constitution~~

To Committee Recommendation No. LB-2

BY DELEGATE GALLAGHER

1 On page 4 Section 3.16 Consideration of
2 Bills in line 30 after the period strike out
3 everything down to and including line 41 and
4 insert in lieu thereof the following:

5
6 "No vote on final passage of a bill shall
7 be taken until the bill and all amendments
8 thereto shall be in writing. Except during
9 the first four days of a special session, or
10 except upon the affirmative vote of three-
11 fifths of all the members of the house in
12 which suspension is requested, no vote on
13 final passage of a bill shall be taken until
14 the fifth calendar day after its introduction
15 in the house of origin ~~and~~ until the second
16 calendar day after it reaches the second house."

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THE HISTORY OF THE

REIGN OF
HIS MOST EXCELLENT MAJESTY
CHARLES THE FIRST

BY
JAMES HALLAM, ESQ.
OF THE MIDDLE TEMPLE

LONDON:
Printed by J. Sturges, in Pall-mall.

1764.

IN TWO VOLUMES.

Vol. I.

THE HISTORY OF THE

REIGN OF
HIS MOST EXCELLENT MAJESTY
CHARLES THE FIRST

CONSTITUTIONAL CONVENTION OF MARYLAND
1967
ROLL CALL

Amend 27 to
Com Rec LB-2

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● President			● Clagett			● Key			● Robey, F. C.		
● Tawes ●			● Clarke, E. J.			● Kiefer			● Robie, K. L.		
● Clark, J.			● Cleveland			● Kirkland			● Rollins ●		
● James			● Dabrowski			● Koqer			● Rosenstock		
● Abramson ●			● Darby			● Kosakowski			● Rush ●		
● Adkins ●			● Della ●			● Koss			● Rybczynski		
● Anderson			● Dorsey			● Leitzel			● Scanlan		
● Armor ●			● Dukes ●			● Linton			● Schloeder		
● Bamberger			● Dulany			● Lord			● Schneider		
● Bard ●			● Eckenrode			● Macdonald			● Sherbow		
● Barrick ●			● Finch			● Malkus ●			● Sickles		
● Baumann ●			● Fornos			● Marion			● Siewierski		
● Beachley			● Fox ●			● Mason			● Singer		
● Beall ●			● Frederick			● Maurer			● Smith, J. H.		
● Bennett			● Freedlander			● Mentzer			● Smith, M. H.		
● Blair			● Gallagher			● Miller, B.			● Sollins		
● Boileau ●			● Gilchrist			● Miller, E. T.			● Sosnowski		
● Borom			● Gill			● Mitchell			● Soul		
● Bothe			● Gleason			● Morgan			● Stern		
● Boyce			● Grant			● Moser			● Storm ●		
● Boyer			● Groh ●			● Mosner ●			● Sybert		
● Boyles			● Grumbacher			● Mudd			● Taylor, H. E.		
● Bradshaw			● Gullett ●			● Murphy ●			● Taylor, L.		
● Bryson			● Hanson			● Murray, D. S.			● Ulrich		
● Burdette			● Hardwick			● Murray, E. C.			● Vecera ●		
● Burgess			● Hargrove			● Needle			● Wagandt		
● Bushong			● Harkness			● Neilson			● Webb		
● Buzzell ●			● Harris			● Neumann			● Ritter		
● Byrnes			● Henderson			● Smith, A. W.			● Weidemeyer		
● Caldwell ●			● Hickman			● Pascal			● Wheatley		
● Cardin			● Hopkins			● Penniman			● White ●		
● Carson ●			● Hostetter			● Peters ●			● Willis		
● Case ●			● Hutchinson			● Powers			● Willoner		
● Chabot			● Jett			● Price ●			● Winslow		
● Child			● Johnson			● Pullen					
● Cicone ●			● Kahl			● Raley					

YEAS	N-V	NAYS
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2 2	2 2	2 2
3 3	3 3	3 3
4 4	4 4	4 4
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DEL. PRO.	COM. REC.	DATE:
1000 100	10 1	JAN. 2
2000 200	20 2	3
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4000 400	40 4	2
	50 5	3
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2-R. 700	70 7	5
3-R. 800	80 8	6
QUO. 900	90 9	SEPT. 7
MOT 000	00 0	OCT. 8
		NOV. 9
		DEC. 0



Constitutional Convention

AMENDMENT NO. 28

~~To Amendment No. xxxxxxxxxxxxxxxxx~~

To Committee Recommendation No. LB-2

BY DELEGATE Gallagher

1 On page 5 strike out all of Section 3.17
2 Journal and Passage of Bills and insert in lieu
3 thereof the following Sections:

4
5 "Section 3.17 Passage of Bills

6
7 No bill shall be enacted nor shall a resolution
8 requiring the action of both houses be adopted
9 unless it is passed in each house by a majority
10 of all the members of that house. A vote in
11 joint session or by either house on any bill or
12 resolution or for the election or confirmation of
13 any state officer shall be taken only in public
14 session.

15
16 Section 3.17a Journals

17
18 The General Assembly shall provide by rule that
19 each house shall keep a current daily journal of
20 its proceedings, which shall be open to public
21 inspection at all reasonable times, and a trans-
22 cript of its debates. The General Assembly shall
23 provide by rule that the daily journal of each house
24 shall be published as soon as practicable and the
25 transcript shall be available to the public. The
26 General Assembly shall provide by rule that all
27 final committee votes on all bills in both houses
28 shall be entered by individual recorded vote in
29 the daily journal of the appropriate house. The
30 General Assembly shall provide by rule that, on
31 final passage of a bill, including a bill proposing
32 a constitutional amendment, or a resolution, the

1 vote cast by each member shall be recorded in
2 the journal of the house of which he is a member."
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Constitutional Convention

AMENDMENT NO. _____

~~XXXXXXX~~

To Committee Recommendation No. LB-2

Gallagher,

BY DELEGATES/Bard, Chabot, Clagett, J.Clark, Fox,
Grumbacher, Hanson, James, Koss, Marion, Mudd, Needle,
Scanlan, Sickles, Sollins, H.Taylor, L.Taylor, Wagandt,
Winslow.

1 On page 2 following line 42 of Section 3.03a
2 Redistricting Procedure add this new sentence:

3
4 "The State shall be divided by law into districts
5 for the election of members of the United States
6 House of Representatives. Each district shall
7 consist of adjoining territory and be compact in
8 form. Due regard shall be given to natural
9 boundaries and the boundaries of political sub-
10 divisions. The number of persons represented by
11 each member of the United States House of Represent-
12 atives shall be substantially equal. The boundaries
13 of districts shall be re-established consistent with
14 these standards in accordance with the most recent
15 census for the apportionment of the House of
16 Representatives under the United States Constitu-
17 tion. Upon petition of any registered voter, the
18 Court of Appeals shall have original jurisdiction to
19 review the districting and grant appropriate relief
20 if it finds the districting to be unlawful."

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Constitutional Convention

COMMITTEE RECOMMENDATION NO. LB-3

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,
FRANCIS X. GALLAGHER, CHAIRMAN

December 15, 1967.

Presented, read, and referred to the Committee of the Whole.

By order, IRA J. WAGONHEIM, Chief Clerk.

This Recommendation covers Delegate Proposals Nos. 234.

TITLE

1 A RECOMMENDATION that portions of Article
2 3 of the new Constitution dealing with the
3 Legislative Branch provide for congressional
4 redistricting procedure, continuity of
5 government during emergencies and limitations
6 on corporate charters, to read as follows:

7 8 Section 3.03b. Congressional Districts

9
10 The State shall be divided by law into
11 congressional districts for the election of
12 members of the United States House of Repre-
13 sentatives. The difference between the popu-
14 lations of the largest and smallest congres-
15 sional districts in the State shall not exceed
16 ten per cent of the mean population of all
17 congressional districts. Each congressional
18 district shall consist of adjoining territory
19 and be compact in form. Due regard shall be
20 given to natural boundaries and the boundaries
21 of political subdivisions. The boundaries of
22 congressional districts shall be established
23 according to these standards immediately prior
24 to the statewide congressional general election
25 in 1972 and every tenth year thereafter.

112A
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for second reading
Dec 15, 1967

Amend #1
unf
37-A
82-N

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1 Section 3.03c. Congressional Redistricting
2 Procedure.
3

4 The commission on legislative redistricting
5 shall submit a congressional redistricting plan
6 to the Governor who shall transmit the plan to
7 the General Assembly by the first day of the
8 regular session in any year in which congressional
9 redistricting is to be effective. The General
10 Assembly shall enact either the commission plan
11 or a congressional redistricting plan of its own.
12

13 Section 3.19. Continuity of Government During
14 Emergencies.
15

16 The General Assembly shall provide by public
17 general law for the continuity of state and local
18 public offices and governmental operations during
19 the period of any emergency caused by disasters or
20 enemy attack. The General Assembly may provide by
21 public general law for the temporary suspension,
22 during the period of any such emergency only, of
23 provisions of this constitution relating to the
24 continuity of state and local public offices and
25 governmental operations.
26

27 Section 3.17ab. Corporation Charters.
28

29 Corporations may be formed under general Laws,
30 but shall not be created by special act, and except
31 in cases where no general Laws exist, providing for
32 the creation of corporations of the same general
33 character, as the corporation proposed to be created;
34 and any act of incorporation passed in violation of
35 this section shall be void. All charters granted,
36 or adopted, in pursuance of this section, and all
37 charters heretofore granted and created, subject to
38 repeal or modification, may be altered, from time
39 to time, or be repealed; provided, nothing herein
40 contained shall be construed to extend to Banks,
41 or the incorporation thereof. The General Assembly
42 shall not alter or amend the charter of any corpora-
43 tion existing on December 3, 1891, or pass any other
44 general or special law for the benefit of such cor-
45 poration except upon the condition that such corpora-
46 tion shall surrender all claim to exemption from taxa-
47 tion or from the repeal or modification of its charter,
48 and that such corporation shall thereafter hold its
49 charter subject to the provisions of this Constitution;
50 and any corporation chartered by this State which

1 shall accept, use, enjoy, or in any wise avail
2 itself of any rights, privileges, or advantages
3 that may hereafter be granted or conferred by
4 any general or special Act, shall be conclusively
5 presumed to have thereby surrendered any exemption
6 from taxation to which it may be entitled under
7 its charter, and shall be thereafter subject to
8 taxation as if no such exemption has been granted
9 by its charter.

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Constitutional Convention

COMMITTEE MEMORANDUM NO. LB-3

BY THE COMMITTEE ON THE LEGISLATIVE BRANCH,

FRANCIS X. GALLAGHER, CHAIRMAN

December 15 , 1967.

In support of Committee Recommendation No. LB-3

1 A Memorandum in support of Committee Recommend-
2 ation LB-3 that portions of Article III of the
3 new Constitution dealing with the Legislative
4 Branch provide for congressional redistricting
5 procedure, continuity of government during
6 emergencies and limitations on corporate chart-
7 ers, to read as follows:

8
9 Section 3.03b. Congressional Districts

10
11 The State shall be divided by law into
12 congressional districts for the election of
13 members of the United States House of Repre-
14 sentatives. The difference between the popu-
15 lations of the largest and smallest congressional
16 districts in the State shall not exceed ten
17 percent of the mean population of all congressional
18 districts. Each congressional district shall
19 consist of adjoining territory and be compact
20 in form. Due regard shall be given to natural
21 boundaries and the boundaries of political sub-
22 divisions. The boundaries of congressional
23 districts shall be established according to these
24 standards immediately prior to the statewide
25 congressional general election in 1972 and every
26 tenth year thereafter.

27
28 Comment:

29
30 Section 3.03b provides that the state shall
31 be divided by law into congressional districts
32 and that the difference between the populations

1 of the largest and smallest districts shall not
2 exceed ten percent of the mean population of all
3 districts. The Committee on the Legislative
4 Branch adopted the ten percent standard rather
5 than the less rigid "substantially equal" for
6 the following reasons:

7
8 1. Congressional districts are very large
9 (about 500,000 voters each in 1970) compared
10 to legislative districts (about 33,000 each for
11 the House of Delegates in 1970). Thus the ten
12 percent standard would not be restrictive for
13 congressional districts (since ten percent of
14 500,000 is 50,000, the ten percent standard would
15 permit the districts to vary in size by as much
16 as 50,000 persons).

17
18 2. The pattern of redistricting decisions
19 in Federal Courts has been pointing toward a
20 ten percent standard for congressional districts.
21 In fact, the present congressional districts for
22 Maryland, which were designed by a Federal Court,
23 are well below the recommended ten percent limit.

24
25 3. Although Congress has not yet finally
26 acted on this question, and does not appear likely
27 to do so in the near future, almost all of the bills
28 on this subject before the Congress have set a ten
29 percent standard.

30
31 4. Since there is no compelling reason to allow
32 less rigid redistricting standards in congressional
33 districts (such as the "one delegate per county"
34 tradition which argues for less rigid redistricting
35 standards for legislative districts), the simplest
36 technique for congressional districting is to set
37 a clear mathematical standard at ten percent.

38
39 Section 3.03b also provides that each congres-
40 sional district shall consist of adjoining terri-
41 tory, be compact in form, and give due regard to
42 natural boundaries and the boundaries of political
43 subdivisions. Here again the Committee's intention
44 is to recognize the differences in districting pro-
45 cedure for congressional districts as compared to
46 legislative districts. Whereas the Committee would
47 not expect a senate or delegate district to cross
48 the "natural" and "political subdivision" boundary
49 of the Chesapeake Bay, it does expect that a 500,000
50 person congressional district might cross such a
51 boundary.

1 Section 3.03b concludes with a sentence
2 requiring congressional redistricting to occur
3 in 1972 and every ten years thereafter. The
4 effect of this sentence is to explicitly require
5 congressional redistricting prior to the first
6 congressional election following the publication
7 of decennial census figures.

8
9 Section 3.03c. Congressional Redistricting
10 Procedure.
11

12 The commission on legislative redistricting
13 shall submit a congressional redistricting plan
14 to the Governor who shall transmit the plan to
15 the General Assembly by the first day of the
16 regular session in any year in which congressional
17 redistricting is to be effective. The General
18 Assembly shall enact either the commission plan
19 or a congressional redistricting plan of its own.
20

21 Comment:
22

23 Section 3.03c provides for the commission on
24 legislative redistricting to submit congressional
25 redistricting plans to the General Assembly in any
26 year in which congressional redistricting is to be
27 effective. The legislature then shall adopt by
28 law either the commission plan or a plan of its
29 own choosing.
30

31 The Committee on the Legislative Branch strongly
32 supported having the commission on legislative redistricting (established in Section 3.03a to redistrict the Senate and the House of Delegates) originate plans of congressional districting for the legislature. The Committee is hopeful that the commission on legislative redistricting will develop institutional prestige over the years, and that as a result the General Assembly will wish to consider the commission's proposals for congressional redistricting most carefully. The Committee on the Legislative Branch also is aware that a Federal Court might wish to use the commission plan as a guide for Court drawn districts if General Assembly drawn districts should prove unconstitutional.
46

47 The Committee would have supported having the
48 commission plan for Congressional districts automatically become law after 70 days if the General
49 Assembly fails to act, but the United States Constitution prevents such a practice by providing
51

1 that state legislatures must draw congressional
2 district lines within a state.

3
4 The Committee also considered allowing the
5 Maryland Court of Appeals to have original
6 jurisdiction to review any congressional redis-
7 tricting plan enacted by the General Assembly.
8 The Committee on the Legislative Branch rejected
9 this idea, however, on the grounds that congres-
10 sional districting is basically a United States
11 problem and thus should be settled in the United
12 States Courts.

13
14 Section 3.19. Continuity of Government During
15 Emergencies.
16

17 The General Assembly shall provide by public
18 general law for the continuity of state and local
19 public offices and governmental operations during
20 the period of any emergency caused by disasters
21 or enemy attack. The General Assembly may provide
22 by public general law for the temporary suspension,
23 during the period of any such emergency only, of
24 provisions of this constitution relating to the
25 continuity of state and local public offices and
26 governmental operations.

27
28 Comment:
29

30 Section 3.19 clarifies the power of the General
31 Assembly to pass legislation providing for the
32 continuity of state and local government operations
33 during an emergency. Examples of such legislation
34 would be (a) to provide for lines of succession in
35 state and local government in case many top offi-
36 cials are killed in an enemy attack, (b) provide
37 for the establishment of alternate county seats
38 in case of the destruction of any existing county
39 seats, and (c) provide speeded up procedures for
40 expending funds and rendering government services
41 to alleviate a disaster situation.

42
43 The second sentence of Section 3.19 permits the
44 General Assembly to provide by public general law
45 for the temporary suspension of Constitutional
46 provisions relating to the continuity of state and
47 local public offices and governmental operations.
48 The Committee on the Legislative Branch believes
49 this power to suspend is necessary because certain
50 constitutionally required government practices

1 could not be carried out during a period of grave
2 state emergency. The constitutional requirement
3 that Annapolis be the meeting place of the General
4 Assembly is a perfect example of a constitutional
5 provision relating to state government operations
6 that might need to be suspended following a natural
7 disaster in the City of Annapolis.

8
9 It is the intention of the Committee on the
10 Legislative Branch, however, that only those
11 sections of the Constitution relating to state
12 and local government operations will ever be
13 suspended. Certainly the Declaration of Rights
14 would never be suspended under Section 3.19. It
15 also is the intention of the Committee on the
16 Legislative Branch that any suspensions of
17 constitutional provisions under Section 3.19 will
18 last only as long as the actual period of the
19 emergency.

20
21 Although Section 3.19 would not explicitly
22 require it, the Committee on the Legislative
23 Branch believes it would be desirable for the
24 General Assembly to enact legislation providing
25 for continuity of government during disasters
26 prior to the occurrence of any such disasters.

27
28 Section 3.17ab. Corporation Charters.

29
30 Corporations may be formed under general laws,
31 but shall not be created by special act, and
32 except in cases where no general laws exist, pro-
33 viding for the creation of corporations of the
34 same general character, as the corporation pro-
35 posed to be created; and any act of incorporation
36 passed in violation of this section shall be void.
37 All charters granted, or adopted, in pursuance
38 of this section, and all charters heretofore
39 granted and created, subject to repeal or modi-
40 fication, may be altered, from time to time, or
41 be repealed; provided, nothing herein contained
42 shall be construed to extend to banks, or the
43 incorporation thereof. The General Assembly
44 shall not alter or amend the charter of any
45 corporation existing on December 3, 1891, or
46 pass any other general or special law for the
47 benefit of such corporation except upon the
48 condition that such corporation shall surrender
49 all claim to exemption from taxation or from the
50 repeal or modification of its charter, and that

1 such corporation shall thereafter hold its
2 charter subject to the provisions of this
3 Constitution; and any corporation chartered by
4 this State which shall accept, use, enjoy, or
5 in any wise avail itself of any rights, privileges,
6 or advantages that may hereafter be granted or
7 conferred by any general or special Act, shall
8 be conclusively presumed to have thereby surrendered
9 any exemption from taxation to which it may be
10 entitled under its charter, and shall be thereafter
11 subject to taxation as if no such exemption has been
12 granted by its charter.

13

14 Comment:

15

16 Section 3.17ab is almost the exact language of
17 Article III, Sec. 48, of the present Constitution
18 of Maryland. The Committee on the Legislative
19 Branch has made only one change in Article III,
20 Sec. 48, deleting a short phrase exempting municipal
21 corporations from the effects of the Article.

22

23 The major significance of Article III, Sec. 48,
24 relates to the tax exemption enjoyed by the Baltimore
25 and Ohio Railroad Company under its charter (Laws,
26 1826, Chap. 123) and under the "Settlement Act"
27 of 1878 (Laws 1878, Chap. 155). Conservatively,
28 this exemption amounts to millions of dollars a
29 year in gross receipts. taxes, sales taxes, and
30 local property taxes that the Baltimore and Ohio
31 Railroad is freed from paying to the State.

32

33 The Baltimore and Ohio exemption was granted
34 originally because of the State's sponsorship and
35 part ownership of the railroad. After sustaining
36 enormous losses in this and other "internal
37 improvements," the State's policy changed and for
38 over a century has been turned towards curtailing
39 and eliminating all such exemptions. This policy
40 is not punitive. It is based on the theory that
41 taxes should be uniform and that charter exemptions
42 offend this rule.

43

44 Exemptions of this type granted prior to 1851
45 (when the Maryland Constitution made future cor-
46 porate charters repealable) are protected by the
47 United States Constitution. Accordingly, the
48 State's recourse has been limited to the imposition
49 of restrictions requiring such corporations to
50 give up their exemptions as the price of obtaining
51 additional corporate privileges. The Constitution

1 was amended for this purpose in 1891 by the
2 insertion of the restrictions contained in the
3 last sentence of Article III, Sec. 48. Under
4 these restrictions, a corporation cannot amend
5 its charter or merge with another corporation
6 without surrendering its exemption. This part of
7 Article III, Sec. 48, has been applied and upheld
8 in the case of at least one other railroad, and
9 the Baltimore and Ohio is now the only railroad
10 still retaining a charter exemption in Maryland.
11 **Because the tax exemption amounts to millions**
12 of dollars a year for the Baltimore and Ohio, the
13 railroad has consistently stayed within the require-
14 ments of its old charter.

15
16 The constitutional restriction on the Baltimore
17 and Ohio represented by Article III, Sec. 48, is
18 of particular pertinence at the present time in
19 Maryland. When the Chesapeake and Ohio Railroad
20 acquired its controlling interest in the Baltimore
21 and Ohio Railroad, it gave written assurance that
22 the two corporations would be merged. These
23 assurances have not as yet been fulfilled, and
24 the Maryland Port Authority recently petitioned
25 the Interstate Commerce Commission to enforce
26 them as a condition of approving the proposed
27 merger of the Chesapeake and Ohio with the Norfolk
28 and Western. Although this action by the Port
29 Authority was for other reasons than the tax
30 exemption, merger of the two railroads would
31 undoubtedly require changing the Baltimore and
32 Ohio's charter and its forfeiting the tax exemp-
33 tion. Therefore, removal of Article III, Sec. 48,
34 from the Constitution could jeopardize the fact
35 that the Baltimore and Ohio would be forced to
36 forfeit its tax exemption when it actually merges
37 with the Chesapeake and Ohio.

38
39 The Committee on the Legislative Branch con-
40 sidered removing Article III, Section 48, from
41 the new Constitution and putting it in the Schedule
42 of Legislation. The Committee concluded, however,
43 that this would be a very hazardous course of
44 action, particularly in view of the fact that a
45 tax exemption which annually amounts to millions
46 of dollars is at stake. Adopting Article III,
47 Sec. 48, as simple legislation would probably
48 work, but it would hardly appear prudent to run
49 the risk.

50

1 The Committee on the Legislative Branch regrets
2 the unusual length, tortured grammar and archaic
3 construction of Article III, Sec. 48. There is no
4 question that it will be obtrusive among the tight,
5 concise phrases of a modern Constitution. The Com-
6 mittee reluctantly decided, however, that protecting
7 the State's position where this tax exemption is
8 concerned was worth the price of one overly lengthy
9 paragraph in the new Constitution. For that reason,
10 the Committee recommends the adoption of Article III,
11 Sec. 48, of the old Constitution in virtually
12 unchanged form.

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A

Constitutional Convention

AMENDMENT NO. 1

~~To Amend Article 10 of the Constitution~~

To Committee Recommendation No. LB-3

BY DELEGATES GILCHRIST, ADKINS, CARSON, FOX,
FREEDLANDER, HOSTETTER, ROLLINS

1 On page 1 strike out all of section 3.03b.
2 Congressional Districts comprising lines 8
3 through 25, inclusive.
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82-N



C

Constitutional Convention

AMENDMENT NO. 2

~~To Amend~~ ~~xxxxxxx~~

To Committee Recommendation No. LB-3

BY DELEGATE WEIDEMEYER

1 On page 1 section 3.03b. Congressional
2 Districts in line 13 after the period strike
3 out the remainder of this line and all of lines
4 14 through 25, inclusive.

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THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS
1890

THE UNIVERSITY OF CHICAGO
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Constitutional Convention

AMENDMENT NO. 3

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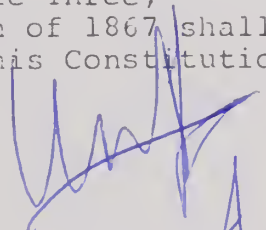
To Committee Recommendation No. LE-3

BY DELEGATES SCANLAN, BOTHE

1 On pages 2 and 3 section 3.17ab. Corporation
2 Charters strike out all of lines 29 through
3 50, inclusive, on page 1 and all of lines 1
4 through 9, inclusive, on page 2; and insert
5 in lieu thereof the following:

6 "The provisions of Article Three,
7 Section 48 of the Constitution of 1867 shall
8 remain in effect as part of this Constitution."
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Constitutional Convention

AMENDMENT NO. _____

As Amended by Report No. S&D-16

~~XXXXXXXXXXXXXXXXXXXX~~

To Committee Recommendation No. LB-1 LB-2, LB-3

BY DELEGATE GALLAGHER

1 On page 2 Section 3.06 Legislative Redistricting
 2 Procedure strike out all of lines 47 and 48 and
 3 insert in lieu thereof the following words:

4
 5 "other plan has not been provided by law within
 6 seventy".
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Constitutional Convention

AMENDMENT NO. _____

As Amended by Report No. S&D-16
~~To Amend No. xxxxxxxxxxxx~~

To Committee Recommendation No. LB-1, LB-2, LB-3

BY DELEGATE GALLAGHER

1 On page 3 Section 3.07 Qualifications of
2 Legislators in lines 24 and 25 strike out the
3 words: "for senate districts".
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